HISTORICAL EXTRACTS

RELATING TO

LAWS, CUSTOMS, MANNERS, TRADE,
LITERATURE, ARTS, SCIENCES,

AND

REMARKABLE TRANSACTIONS,
CIVIL, MILITARY, AND ECCLESIASTICAL.

TRANSLATED FROM THE

NEW HISTORY OF FRANCE,

Begun by Abbot VELLY, continued by M. VILLARET,
and now under further Continuation by
M. GARNIER, Professor Regius.

With a TABLE of CONTENTS and INDEX.



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PREFACE.

THESE Hiſtorical Extracts took their riſe from a letter publiſhed ſome time ſince in the Gentleman's Magazine, earneſtly wiſhing that collections of ſhort paſſages from real hiſtory, and promotive of patriotiſm and virtue, were committed to the preſs, and put into the hands of youth, in order to furniſh them with ſubjects for exerciſing their thoughts to the improvement of their minds and hearts, inſtead of being vitiated by the frivolous reading of novels and romances, in which the evil greatly preponderates againſt what good may be contained in ſome of thoſe compoſitions. I remember

the late Mr. CAVE, founder of the Gentleman's Magazine, after reading ſome pages of Pamela, ſaid, RICHARDSON *is a clever fellow, but this kind of books*, however *purely* written, *by what I have obſerved*, do more harm than good. If Pamela, with the praiſes of which the three kingdoms reſounded from every quarter, was not, in the opinion of that good judge, exempt from cenſure, as pregnant with infection, what predicament belongs to the rabble of ſuch futile productions. Farther, the fiction, however ingenious, of any document is no addition to its weight; the well-inſtructed mind bottoms only on reality; the Iliad, the Eneid, Telemachus, and Amelia, thoſe illuſtrious works, cannot be ſuppoſed to make the laſting impreſſions of real hiſtory.

This collection, beſides the inconteſtable reality of the ſeveral articles, has

has this farther recommendation, of being ſelected from a work of high reputation in the literary world; and, if favoured with a reception anywiſe adequate to the merit of the original, or the good intentions with which it is publiſhed, a ſecond aſſortment of ſimilar materials, taken from the ſame valuable ſtore, will ſoon ſee the light.

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HISTORICAL

MISCELLANIES, &c.

Origin of the Salic Law.

IT was about the year 420, when the Francs, a people of Germany, croſſed the Rhine, headed by Pharamond, who, being lifted up on a buckler, and ſhewn to the whole army, was acknowledged the nation's chief. This was all the inauguration of our ancient monarchs. *Anno* 420.

Pharamond is generally accounted the inſtitutor of the celebrated *Salic* law *; ſo called, either from the ſurname of this prince who promulgated it, or from *Salogaſt*, who firſt moved it, or from the word *Salichame*, the place where the leading men of the nation met to digeſt it. Others derive the appel-

* Tiro Proſp. in faſtis Caſſiodi.

lation from its having been made for the Salic lands, which were ennobling fiefs conferred by our firſt Kings on the *Salians*, the chief Lords of their *Sala* or court, on the ſole condition of military ſervice. This was the reaſon of their not being hereditable by females; nature ſeeming to have exempted that ſex from the hardſhips and confuſions and the procedures of war. Others will have the word to come from the Salians, a Franc tribe which removed into Gaul, under the reign of Julian *, who is ſaid to have portioned out lands to them, on condition of their ſerving him perſonally in his wars. This grant with its condition and other particulars, he even formed into a law, which the new conquerors adopted, calling it *Salic*, from the name of their former countrymen.

The common notion is, that this law concerns only the ſucceſſion to the crown, and the Salic lands; but herein lies a twofold miſtake. The Salic law was not inſtituted either for ſettling the ſucceſſion to the kingdom, nor preciſely for determining the right of private perſons to the feudal lands. It is a collection of regulations on matters of every kind. It aſſigns penalties for theft, robbery, ſetting another's property on fire, acts of

* Menage, Paſquier.

violence

violence and ſorceries: it preſcribes rules for order, the public tranquillity, mutual concord, proceedings in law, and every article of a juſt police. Of the ſeventy-one articles which it contains, only one has any relation to inheritances, and the tenour of it is this *: *In the Salic country, no part of the inheritance is to come to the females, it belongs wholely and ſolely to the males.*

It appears that what we have of that Salic law, is no more than an extract of a larger code; and of this a full proof is ſome quotations out of the Salic law itſelf, and certain forms not to be found in our remainder of that famous ordinance. The celebrated gloſſariſt Ducange, makes the Salic law twofold; one whilſt the Francs were yet Pagans, and digeſted by four chiefs of the nation; the other was with amendments and additions by the Chriſtian Kings. Du Haillan, but what his reaſons were is known only to himſelf, boldly pronounces the latter to have been purely a contrivance of Philip *the Tall*, to exclude Joanna of France from the ſucceſſion. He ſurely did not conſider that the queſtion was very preciſely diſcuſſed in a meeting of the great men of the kingdom who unanimouſly excluded that princeſs, and voted the crown to Philip; ſo little doubt was then

* Tit. 62. de Alode, art. 6.

made of the real exiſtence of a Salic law, and of the kingdom of France being *Salic land.* A freſh conteſt aroſe ſoon after on the ſame ſubject, and the deciſion was likewiſe the ſame. The claim of Edward III. King of England, was judged no better founded than that of princeſs Joanna, and Philip Count de Valois acknowledged rightful ſucceſſour to Charles the *Handſome.* The ſtates declared the article which ſettled the right of private perſons to *Salic* lands to hold equally good relatively to the ſucceſſion to the crown, and it became a fundamental law.

Diets of the Francs.

THE Francs uſed to meet every year in a field called the *March Field,* theſe diets being held at the beginning of that month; and for the ſame reaſon it was afterwards named the *May Field.* Various were the objects of theſe aſſemblies. Here the troops were reviewed; war or peace canvaſſed; they conſulted about the redreſs of errors and grievances in government, the law, and the finances; they nominated guardians to the minor kings; made a diviſion of the deceaſed monarch's treaſures and territories;

territories; appointed the day and place for the inauguration of the ſucceſſor. Before them likewiſe were tried delinquents of rank. Laſtly, it was in theſe aſſemblies that the King received the annual *free gift*. This gift was the voluntary preſent of money, furniture, implements and horſes, which the great men of the kingdom made to the ſovereign. It has ever ſince retained the name, though afterwards it ceaſed to be free. The King preſided at theſe national diets, attended by the great officers of the crown, the mayor of the palace, chaplain, chamberlain, conſtable, cup-bearer, and referendary *; and the biſhops and abbots were not exempted from giving their attendance.

Dukes and counts were likewiſe ſummoned; thoſe dignities now hereditary, were in thoſe times only temporary commiſſions conferred by the King. The ſovereign, or

* Under the Carlovingians, this officer came to be ſtiled chancellour, either from his cancelling or croſs-barring writings which he rejected, or from his ſealing them within a place incloſed with grates or *chanceaux*, according to the language of that time. He was formerly only the fifth officer in the kingdom, and for a long time ſat in parliament behind the princes and biſhops. He is now become the firſt officer of the crown, the head of the law, the diſpenſer of all grants, favours and pardons. *He is the only man in the kingdom who never wears mourning, nor receives nor pays viſits.*

the mayor of his palace, moved the queſtions to come under conſideration, and the majority of votes decided them.

Marriage Ceremony.

Anno 495. GONDEBAUD, King of the Burgundians, had a niece, the reputation of whoſe beauty, ſenſe, and virtue, ſo inflamed Clovis's heart, that he ſent embaſſadors to demand her in marriage. Clovis was then a Pagan, but the court of Burgundy thought it not adviſeable to incur the diſpleaſure of a young prince, already illuſtrious by a ſucceſſion of victories. Princeſs Clotilda was accordingly married, the King's proxy being Aurelian, a Gaul of diſtinction, who, conformably to the cuſtom, preſented her with a *ſol* and a *denier*. This cuſtom ſubſiſted in France for a long time, and to this very day huſbands give ſome pieces of money to their brides *. The only difference is in the number and value. Every thing being ready for the new Queen's departure, ſhe ſet out in a

* This continues to be in ſome meaſure obſerved among the Roman Catholics in Ireland.

kind

kind of waggon called a *baſterna* †, as the moſt decent and leaſt inconvenient carriage of thoſe times. It was likewiſe drawn by oxen, to make it the more eaſy to her majeſty.

Dreſs.

SIGEBERT was buried in St. Medard's church, at Soiſſons, where his ſtatue is ſtill ſeen in long clothes with the mantle, which the Romans called *chlamys*. This was the dreſs of Clovis's children, whether as more noble and majeſtic, or that they looked on the title of Auguſtus as hereditary in their family. However it be, long clothes were for ſeveral ages the dreſs of perſons of diſtinction, with a border of ſable, ermin, or miniver. Under Charles V. it was emblazoned with all the pieces of the coat of arms. At that time, neither ruffs, collars, nor bands were known, being introduced by Henry II. Till his time the neck of our Kings was always quite bare, except Charles the *Wiſe*, who is every where repreſented with an ermin collar. The ſhort dreſs anciently worne only *Anno* 576.

† Some lexicographers make the *baſterna* a litter, others a ſedan.

in the country and the camp, came to be the general faſhion under Lewis XI. but was laid aſide under Lewis XII. Francis I. revived it, with the improvement of ſlaſhes. The favourite dreſs of Henry II. and his children, was a tight, cloſe doublet, with trunk hoſe, and a cloak ſcarce reaching to the waiſt.

The dreſs of the French ladies, it may be ſuppoſed, had likewiſe its revolutions. They ſeem, for near nine hundred years, not to have been much taken up with ornaments. Nothing could require leſs time or nicety than their head-dreſs, and the diſpoſition of their hair. Every part of their linen was quite plain, but at the ſame time extremely fine. Laces were long unknown. Their gowns, on the right ſide of which was embroidered their huſband's coat of arms, and on the left that of their own family, were ſo cloſe as to ſhew all the delicacy of their ſhape, and came up ſo high as to cover their whole breaſt, up to the neck. The habit of widows had very much of that of our nuns. It was not till under Charles VI. that they began to expoſe their ſhoulders. The gallantry of Charles the VIIth's court brought in the uſe of bracelets, necklaces, and earrings. Queen Anne de Bretagne deſpiſed thoſe trinkets; and Catharine de Medicis made it her whole buſineſs to invent new.

Caprice,

Caprice, vanity, luxury and coquetry, have at length brought them to their preſent enormity.

Inſtance of Superſtition.

MEROVEUS, ſon to Chilperic, being looked upon as the author of an unhappy war, was made anſwerable for its miſcarriage. He was diſinherited, his hair clipped off, and after going through the ordination of a prieſt, was confined in a monaſtery; out of which, however, he eſcaped, and fled to the church of St. Martin de Tours, where he forced the biſhop to give him the *eulogies*. Theſe were remains of loaves not conſecrated, but which had been offered and bleſſed, preparatively for the ſacrifice of the hoſt; for this reaſon they were diſtributed only to thoſe who were in communion with the church. Chilperic, after making uſe of threats, treacheries, and perfidies, to get him from the ſacred aſylum, determined to carry him off by force. He wrote about it to St. Martin, being apprehenſive that ſuch an overt act would draw his indignation upon him. The letter, which was a kind of conſultation, was laid on the tomb *Anno* 520.

of

of this Thaumaturgus of France; and the King, ſuch was the ſimplicity and ignorance of thoſe times, had taken care to put with the letter, a piece of paper, on which he hoped the Saint would write his deciſion. But after three days, the paper being found as it was left, the ſuperſtitious monarch gave over his attempt.

Mothers Guardians of their Sons.

Anno 584. FRedegonda was declared regent, this having been anciently, as it is now, the privilege of the Queen mothers. Brunehaut, under Childebert II. Batilda, under Clotaire III. Nautilda, under Clovis II. Alix de Champagne, under Philip Auguſtus; Blanche of Caſtille, under St. Lewis, and Louiſa of Savoy, under Francis I. governed the ſtate with an abſolute authority, during the minority or abſence of the Kings their ſons. This cuſtom has paſſed from the throne into private families. The French law, both ancient and modern, delivers up to mothers, the guardianſhip and *garde noble* of their children; that is, ſays Paſquier, the government of their perſons, and of their eſtates, whether fiefs or held by ſoccage.

Importance

Importance of a godfather. Form in verifying doubtful caſes.

QUEEN Fredegonda haſtened to Gontrau, King of Burgundy, intreating him that he would ſtand godfather to her ſon, which at that time, was the ſtrongeſt tie, and the moſt certain ſecurity of an unalterable affection; but her putting off the ceremony from time to time, raiſed ſome ſuſpicions in him about the birth of the ſuppoſed royal infant, and he openly talked of it. The Queen, extremely alarmed at his ſuſpicion, proteſted to him that Clotaire was really Chilperic's ſon, and had the ſame thing ſworn by three biſhops her friends, and three hundred other witneſſes. *Anno* 586.

Such was the antient way of confirming doubtful things. The perſon accuſed was not allowed to clear himſelf by oath, unleſs ſome of his relations, his ſex, profeſſion, or at leaſt neighbourhood, ſwore with him. Theſe witneſſes, if laymen, were to be unexceptionable, known to the accuſer, and ſettled in the place where they gave their depoſitions. Sometimes the judge named them, ſometimes this was determined by lots; the party accuſed uſually gave in their names, an advantage

advantage very ſeldom allowed to the accuſer. The number depended on circumſtances; many or few were required, according to the importance of the caſe, and the merit or quality of the perſon. The judge, by way of recommending to the witneſſes a ſerious conſideration of what they were about, pulled them by the ear, or gave them a gentle box on the ear. The oath was adminiſtered only on certain days, in the morning, faſting, in a church, on the altar, on the crucifix, on the goſpels, on a miſſal, on the tomb of a ſaint, on ſhrines or reliquaries. The party accuſed ſtood with his hands laid on thoſe of the ſeveral witneſſes during their depoſitions, proteſting with an audible voice, that he was innocent of the crimes laid to his charge. On this ceremony, a ſad ſource of perjuries innumerable, he was acquitted.

Clauſe in the Salic law.

Anno 590. AUTHARIS, king of Lombardy, induced Garirabaldus, duke of Bavaria, to ſhake off the Auſtraſian * yoke; and to attach him the more firmly to his intereſt, aſked his daughter Theodelinda in marriage. It is

* Lorrain, which, with its dependencies, formed a conſiderable kingdom.

ſaid

ſaid that he himſelf went in diſguiſe with his ambaſſadors. The princeſs, according to the cuſtom of the people over whom ſhe was ſoon to reign, preſented the goblet to the envoys: Autharis, in returning it, ſqueezed her hand, a preſumption which put her to the bluſh; ſhe ſuſpected it could be no other than the king of Lombardy himſelf, and ſhe was confirmed in her ſurmiſe by the warmth with which this prince kiſſed the hand, which had the honour of touching her. This paſſage brings to mind a curious article of the *Salic* law *. *He who ſqueezes the hand of a free woman, ſhall pay a fine of fifteen golden ſols.*

Concubinage. Deciſions of accuſations by ſingle Combat.

A WIFE of Gontran, king of Burgundy, in her laſt moments, requeſted of him to put two phyſicians to death, whoſe medicines ſhe pretended had been fatal to her; he was ſo weak as to promiſe it, and had the cruelty to keep his word. The ſame King ſeeing one day, a wild bull newly killed, he cauſed the ranger of the foreſt to be apprehended, who laid it on a chamber- *Anno* 593.

* Lex Salic. tit. 22.

lain

lain of the king's named Chundon, and he denied the fact. The king ordered the diſpute to be decided by combat. The party accuſed, being aged and infirm, he put in his ſtead one of his nephews, who mortally wounded the accuſer, but going about to diſarm him, killed himſelf with his adverſary's poniard. The champion's death being conſidered as a conviction of the chamberlain, the monarch ordered him to be ſeized, and he was ſtoned on the ſpot. This was what thoſe barbarous times called a regard to juſtice. It will appear matter of ſurprize, that amidſt all the elogiums for piety and devotion, which Gregory de Tours beſtows on Gontran, he ſhould add, *that he had a concubine named Veneranda*. But the wonder vaniſhes on reflecting that concubinage, which however infamous it became afterwards, was then a legal union; and, if leſs ſolemn, was not leſs indiſſoluble than marriage. The civil law authorized it when, by the Roman laws, the want of portion or birth in the woman, prohibited her being married with perſons of a certain rank. Now, though a concubine did not enjoy the ſame conſideration in the family as a wife of equal condition, yet was it a name of honour very different from that of miſtreſs; and her children, according to the ancient cuſtom of the Francs, were, with the father's approbation, not leſs qualified to inherit. The Weſtern church,

church, for ſeveral centuries, held this kind of alliance entirely lawful. The firſt council of Toledo expreſsly decides, *A man is to have but one wife or one concubine at his option.* St. Iſidore of Seville, the council of Rome under Eugene II, another held in the ſame city under Leo IV. ſpeak to the ſame purpoſe. If theſe marriages came to be aboliſhed, it was not on account of any intrinſick illegality, eſpecially when the engagement was real and for ever, but on account of the numberleſs abuſes ariſing from the want of the canonical ſolemnities. It was likewiſe for this reaſon that the Roman laws, though legitimating the iſſue by ſuch union, excluded them from the right of ſucceſſion.

The unhappy Chundon's caſe brings to mind another no leſs curious point of our ancient laws, as inſtancing that formerly in caſes of law where no deciſive proof could be had, a duel was allowed both to plaintiff and defendant. This was ſo uſual a way of terminating the differences of nobles, that the very eccleſiaſticks and monks were not exempted from it. But that thoſe hands which offered the unbloody ſacrifice might not be ſtained with human blood, they were to find a man to fight in their ſtead. Women, the ſick and maimed, and perſons under twenty years or above ſixty, were exempted from this ſtrange deciſion. At firſt it was ap-

pointed in all caſes, criminal or civil, but afterwards limited to ſuch circumſtances only where honour or life was concerned. This cuſtom came from the North. The Burgundians made a law of it; the Franks, at their entrance into Gaul, adopted it. Religion and reaſon long united their efforts to aboliſh it; yet, amidſt all the Anathemas and fulminations of Rome, it ſubſiſted near twelve centuries.

The form of this ſingular proceeding is not unworthy the attention of the curious. The accuſed and the accuſer threw down a gage, uſually a gauntlet, which the judge took up. The two combatants on this were taken into cuſtody, and now the affair admitted of no accommodation but by the judge's conſent. The lord chief juſtice himſelf fixed the day, named the field, and furniſhed the weapons, which were carried to the ſpot, preceded by fifes and trumpets. There a prieſt bleſſed them with a multitude of ceremonies. The action began by giving the lie to each other, till gradually they grew calm; and though deliberately going on an act of impiety, they with ſeeming devotion threw themſelves on their knees, ſaid ſome prayers, made a profeſſion of their faith, and then proceeded to engage. The victory decided the innocence of the victor, or the juſtice of the cauſe which he maintained. The

penalty

penalty of the vanquiſhed was that due to the crime in queſtion. The unfortunate champion underwent the ſame fate; he was ignominiouſly dragged out of the field together with his principal, and hanged or burnt, according to the crime.

Monks, Pilgrims, and Hermits.

THERE were anciently ſeveral claſſes of monks. *Anno* 750. Some, as the Cenobites, lived in a community under the paternal inſpection and controul of a ſuperior: Others, as hermits or anchorets, inflamed with a deſire of attaining to a more elevated perfection, withdrew into the moſt dreary ſolitudes. Some travelled from country to country, viſiting ſacred places, or to improve themſelves by converſing with perſons particularly eminent for ſanctity and knowledge. Theſe were called pilgrims. Others built themſelves cells in towns, or ſhut themſelves up in the moſt lonely dens and caverns. Theſe were diſtinguiſhed by the name of *Recluſes*. Likewiſe companies of three or four lived together in the exemplary practice of every virtue, but without ſuperior, rule or vow. All employed themſelves in ſome uſeful and laborious work, and the greater part diſtributed their ſubſtance to the neceſſitous; yet

were they not under any obligation of renouncing their fortunes or effects; the laws themſelves did not exclude them from taking poſſeſſion when they returned into the world; but ſuch return was looked upon as nothing leſs than a deſertion. Every convent had its treaſury, which kings and nobles were emulous to enrich with valuable offerings. Theſe were uſually rich ſaſhes, girdles, ſhoulder-belts, coſtly veſſels, pieces of furniture, and veſtments covered with gold and jewels, with other preſents, more conſiderable for their rarity than uſe. Theſe the monks carefully kept, both for the honour of the convent and of their benefactors. But what they kept with ſtill greater care was, the charters in which their privileges were ſet forth at large. Our kings exempted them from contributions for their lands, duties for their proviſions, providing lodgings, new-year's gifts, and *law fees*; theſe were certain dues payable to the judges, in all places where they went to hold their ſeſſions. All theſe precautions, however, did not ſecure them in an entire poſſeſſion, as the biſhops could lay their hand on all their riches and poſſeſſions; for the ancient canons gave them the diſpoſal of all the offerings made to churches in their dioceſe; ſo much was due to them for bleſſing the holy chryſm; ſo much for the conſecration of the altars; ſo much for viſitations; and ſometimes even

for ordinations. Our religious monarchs indeed prevailed with them to give up all theſe rights in favour of ſuch monaſteries as they founded. The prelates were not even to ſet a foot in them, but when neceſſary for inforcing proper obedience to the abbot.

Among other advantages accruing to the government from ſo many pious foundations, it is to the ſkill and induſtry of the recluſes that France owes a great part of its preſent fertility. It had been frequently ravaged by the incurſions of the Barbarians; the eye every where met with waſtes, foreſts, heaths, moors and marſhes, that bequeathing to the monks eſtates of no produce was thought but a very ſmall matter, accordingly they had as much land given them as they could cultivate. Theſe worthy ſolitaries, ſo far from devoting themſelves to God, with a view of living in idleneſs, grubbed up and cleared the land, drained, ſowed, planted, and built, that theſe dreary waſtes ſoon became pleaſant and fruitful tracts. So opulent were ſome abbies that they could raiſe a little army; and on this account the abbots were afterwards ſummoned to the aſſemblies in the *March-Field.*

The Rabbis and Mythology on Sneezing.

Anno 750. THIS age is commonly reckoned the era of the cuſtom of ſaying, God bleſs you, to one who happens to ſneeze. It is ſaid that in the time of the pontificate of St. Gregory the Great, the air was filled with ſuch a deleterious influence, that they who ſneezed immediately expired. On this the devout pontiff appointed a form of prayer, and a wiſh to be ſaid to perſons ſneezing, for averting them from the fatal effects of this malignancy. A fable contrived againſt all the rules of probability, it being certain that this cuſtom has from time immemorial ſubſiſted in all parts of the known world. According to mythology, the firſt ſign of life Prometheus's artificial man gave, was by ſternutation. This ſuppoſed creator, is ſaid to have ſtolen a portion of the ſolar rays; and filling with them a phial, which he had made on purpoſe, ſealed it up hermetically. He inſtantly flies back to his favourite automaton, and opening the phial held it cloſe to the ſtatue; the rays ſtill retaining all their activity, inſinuate themſelves through the pores, and ſet the factitious man a ſneezing. Prometheus, tranſported with the ſucceſs of his machine, offers up a fervent prayer, with wiſhes for the preſervation of ſo ſingular a being.

being. His automaton obſerved him, and remembering his ejaculations, was very careful, on the like occaſions, to offer theſe wiſhes in behalf of his deſcendants, who perpetuated it from father to ſon in all their colonies.

The rabbis, ſpeaking of this cuſtom, do likewiſe give it a very ancient date. They ſay, that not long after the creation, God made a general decree, that every man living ſhould ſneeze but once, and that at the very inſtant of his ſneezing, his ſoul ſhould depart, without any previous indiſpoſition. Jacob by no means liked ſo precipitate a way of leaving the world, as being deſirous of ſettling his family affairs, and thoſe of his conſcience; he proſtrated himſelf before the Lord, wreſtled a ſecond time with him, and earneſtly intreated the favour of being excepted from the decree. His prayer was heard, and he ſneezed without dying. All the princes of the univerſe being acquainted with the fact, unanimouſly ordered that, for the future, ſneezing ſhould be accompanied with thankſgivings for the preſervation, and wiſhes for the prolongation of life. We perceive, even in theſe fictions, the veſtiges of tradition and hiſtory, which place the epocha of this civility, long before that of chriſtianity. It was accounted very ancient even in the time of Ariſtotle, who in his Problems

has endeavoured to account for it, but knew nothing of its origin. According to him, the firſt men, prepoſſeſſed with the higheſt ideas concerning the head, as the principal ſeat of the ſoul that intelligent ſubſtance governing and animating the whole human ſyſtem, carried their reſpect even to ſternutation, as the moſt manifeſt and moſt ſenſible operation of the head. Hence thoſe ſeveral forms of compliments uſed on ſimilar occaſions amongſt the Greeks and Romans; *Long may you live! May you enjoy health! Jupiter preſerve you.*

Of Judges and Laws.

Anno 617. IT muſt not be imagined that the adminiſtration of juſtice was neglected. Every profeſſion had its court, together with its laws and cuſtoms. The eccleſiaſtic was tried by the clergy; the military man, by officers; the nobles, by the nobleſſe; the people by *centeniers* in villages, by counts in the towns, and by dukes in the metropolitan cities or capitals. Theſe tribunals were under no ſubordination to each other, an appeal from their ſentence lying only to the king. If the appeal proved well grounded, the judge was anſwerable for both damages and coſts; if the ſentence appeared juſt, the appellee, if a noble,

a noble, was condemned to a pecuniary fine; and to be publickly ſcourged, if only a plebeian. Theſe pecuniary mulct were almoſt the only penalties of thoſe times. It was very ſeldom that a capital puniſhment was inflicted, but for a crime againſt the ſtate. Other offences were bought off for money. The Salic law preſcribes the fine payable to the king, and the compenſation to be made to the party injured. The life of a biſhop was rated at nine hundred golden ſols * ; that of a prieſt, at ſix hundred; that of a layman, at ſomething leſs, according to his quality: The *centenier* had no power of death; the count only in certain circumſtances; and it was very rarely and with great precautions that the duke exerciſed it, the court uſed, from time to time, to ſend commiſſaries into the country, never leſs than two, who were a biſhop, a duke, or a count; their buſineſs was to receive complaints, and report them to the ſovereign.

Under the firſt race, no ſuch thing was known as the long robe. The judges, ſuch as were laics, ſat on the bench, with their ſword, battle-axe, and buckler. Their com-

* The *golden ſol* was worth about fifteen livres of our preſent money. Two hundred golden ſols were paid for a creditable layman; one hundred for a landed Gaul, and forty-five for a tributary Gaul. The landed Gaul was one who had lands of his own; and the tributary one who owed certain rents or ſervices to the king.

miſſion, which was only temporary, prohi-
bited them from making any acquiſition
within their juriſdiction. It required withal,
an extenſive knowledge of the national laws
and local cuſtoms; the Frank being to be tried
by the Salic law, the Gaul beyond the Loyre,
by the Roman law, and in the northern coun-
ties by the common law. They held their
ſeſſions every week or fortnight, according to
the urgency of buſineſs, and always in a public
place, where all ranks every day might have
free acceſs. Every perſon was allowed to
plead his own cauſe; that of the widows and
poor was privileged under the protection of
the church, that no ſentence could be paſſed
againſt them, without adviſing the biſhop of
it. The prelates were, at that time, in ſuch
conſideration that not only criminals under
ſentence of death were diſcharged at their
interceſſion, but a cauſe began in a ſecular
tribunal, might be removed to them. The
biſhop, either perſonally, or by his official,
took cognizance of whatever implyed or
might be matter of ſin, as contracts on oath,
marriages, wills, ſacrilege, perjury, and adul-
tery. This exorbitant power was grounded
on the dignity of their character, the holineſs
of their life, and the ſuperiority of their abi-
lities, as moſt of the nobility could neither
read nor write, till diſdaining to be ſubjected,
like the commonality, to the controul and cen-
ſures

ſures of prieſts, they at length applied themſelves to ſtudy the laws.

Sometimes the monarch himſelf adminiſtred juſtice; and, on theſe occaſions, the court was always held at the gate of his palace. When he could not aſſiſt in perſon, he commiſſioned two officers to receive petitions and give an immediate anſwer to ſuch where no long diſcuſſion was required.

Hunting originally the peculiar privilege of ſovereignty.

HUNTING, that noble amuſement, which Plato † ſtiles a divine exerciſe, and the nurſery of military talents, has always been that of our kings, ſince the very origin of monarchy. The great huntſman, who, according to Hincmar *, was one of the chief houſhold officers under the Merovingian princes, the forreſter appointed by them for the preſervation of the game and forreſts, together with the hunts, to which all the lords of the court were at certain ſeaſons ſolemnly invited, are ſo many inconteſtable proofs of this truth. We find them, at their entrance into Gaul, with a ſettled hunting equipage, a multitude of horſes, packs of

† Plat. de Leg. Dial. 8. * Hincmar de ordine palatii, c. 16. 24.

hounds,

hounds, and a falconry. Stag and wild-boar hunting were then as common a ſport as in our days; but peculiar to princes, or at moſt allowed only to ſome privileged nobles. They went a hunting armed, and their uſual weapons were a ſpear, bow and arrow, or croſs-bow. There was likewiſe another kind of hunting very much uſed in thoſe old times, to dig pits, and cover them with boughs, and to lay toils, nets, and ſnares with baits. But this amuſement was at laſt prohibited under very ſevere puniſhments, as tending to deſtroy all ſorts of game indiſcriminately.

It appears from all the accounts of our hiſtorians that hunting was then free on one's own ground, and never on that of another, but by his permiſſion. This is a reſtraint laid by the Roman law. Our monarchs adopted the law, and very ſtrict were they in enforcing the obſervance of it. King Gontran ordered one of his chamberlains to be put to death for killing a buffalo in a royal foreſt. A Salic law * has ſome very commendable regulations concerning this diverſion, which, however becoming in itſelf, is ſometimes extremely dangerous in practice. That law forbids ſtealing or killing a tame ſtag, trained up to be hunted, as was then the cuſtom. It likewiſe inflicts penalties on

* Leg. Salicæ, c. 35.

any

any one killing a deer, whilſt chaced by another, or ſtealing a ſportſman's game, his hounds or his hawks.

Our firſt kings have been taxed with want of policy, in adopting a law, derogatory to the rights of ſovereignty. It is, however, a point of juriſprudence univerſally admitted, in France, Spain, and Germany that the primitive right of hunting is inherent in the ſovereign alone, and that the nobility hold it from him, either by infeoffment, conceſſion, or patent.

Collection of laws under Dagobert I.

ONE of the fineſt monuments of the reign of Dagobert I. is the collection of the laws of the ſeveral nations under the French dominion. It appears that in all thoſe nations there were two ſorts of perſons; the *Ingenus*, or free, the *Serfs*, or villains. The * *free* were diſtinguiſhed into two claſſes; the nobles, who were called *grandees*, or only *perſonnes majeures*, according to their quality; and the gentry, who were called *perſonnes mineures*. The faſhion of ſolliciting for and granting patents of nobility was not then known. The great dignities were thoſe of *Anno* 630.

* Lex Salic. Tit. 37, 43, 44.

patrician,

patrician, duke, count, and *domeſtic*, or maſter of the royal houſes. The Francs paid no tribute, this mark of ſubjection being limited to the native Gauls, who generally were known by the appellation of Romans. It was very ſeldom that any conſiderable employment was beſtowed on them, all favours being the portion of their conquerors.

Never was law more exact, more definitive and punctual than that of the Francs; it provided for every thing, leaving nothing to the judge's diſcretion *. There is no crime, for which it does not preſcribe the penalty; no theft or larceny for which it does not aſſign the compenſation; no wrong, indecency, or abuſe, of which it does not ſcrupulouſly eſtimate the reparation. To rob a man ſleeping or to ſtrip a dead perſon, to get on a horſe, met by chance, without the maſter's leave, are offences, on which it lays heavy fines. Any one ſqueezing the hand of a free woman was to pay fifteen *ſols*; twice as much if he laid hold on her arm; and four times as much on touching her breaſt; a regulation, the wiſdom of which is certainly admirable; for the Francs, always taking their wives with them to the army, the ſecuring them from all inſults, was a matter of the higheſt importance.

* Lex Salic. Tit. 60.

Neither

Neither a like wiſdom nor a like equity will, perhaps, be allowed, in its ordinances relating to man-ſlaughter. In theſe caſes it allows of compoſition, or rather aſſigns the rate of every perſon's life, determining the ſum by the circumſtances of the action, and the ſtation or quality of the perſon †; concerning all which it enters into a very minute detail. If the murderer was inſolvable, his relations, to a certain degree, were to make ſatisfaction in lieu of himſelf. If not able, the murderer became a ſlave to the deceaſed's family. However this juriſprudence may ſeem to authorize rather than puniſh guilt, yet was it not without ſome views to the publick good. It preſerved a man to the ſtate; to the deceaſed's relations, it added a ſlave, or put an advantageous compoſition into their hands; laſtly, it laid every citizen under a neceſſity of having an eye to all who were united to them by the ties of blood, this law making him, in ſome meaſure, a ſecurity for their good behaviour. There was, however, a privilege of renouncing conſanguinity by a juridical declaration ‡, but the renouncer forfeited the right of inheritance; and if he happened to be killed, his fortune, or at leaſt what the aſſaſſin was obliged to pay, went to the publick treaſury.

† Tit. 43, 44, 45, 65. ‡ Tit. 65.

In

In this law are likewiſe found very excellent regulations for the decency of marriages, and the quiet of families. Children could not marry without the conſent of father and mother; the future bridegroom was to offer a ſum to the maiden's parents, which, indeed, is not fixed by the law, but is generally thought to be a *ſol* and a *denier*. If the future wife was a widow, three golden *ſols* and a *denier* were preſented to her in a court of juſtice, and the judges diſtributed them among the relations who had not partaken of the deceaſed huſband's inheritance. But this offering was to be made in a full court, where a buckler had been lifted up, and at leaſt three cauſes had been tried; otherwiſe the marriage was illegal. This kind of purchaſe gave the huſband ſuch a power, that if he ſquandered away his wife's portion, or any inheritances which had devolved to her, ſhe could not claim any reſtitution from him. It may appear ſtrange that the law ſhould require more for a widow than for a maiden; but the reaſon is obvious. Marriage made no change in the condition of a maiden; it was only a tranſition from the tutelage of her parents to that of her huſband; whereas a widow had regained her liberty, and this circumſtance raiſed her value. A maiden who conſented to be ran away with was condemned to ſlavery; a free man marrying a ſlave became himſelf a ſlave.

The

The order of ſucceſſions was regulated with the like exactneſs; all the eſtates and effects of the deceaſed belonged to the children only; in the want of them, the father and mother were heirs; otherwiſe his brothers and ſiſters; after them, the father's and the mother's ſiſters; after them, the neareſt heir on the father's ſide. Adoption was allowed. It conferred all the rights of a lawful ſon, and was performed before the king, who confirmed it by his warrant.

Eſtates were of three kinds; *proper*, of which the owner had a free diſpoſal; *benefices*, which were held of the prince or church, under certain acknowledgments; *Salic lands*, which were poſſeſſed by military tenure. It was only the *proper* that women could inherit. The benefices, on the death of the poſſeſſor, reverted to the king. The Salic lands belonged only to the males. It is to be obſerved that our kings, at their entrance into Gaul, left the Gauls two-thirds of their lands, for which they paid tribute; the other was divided among the victorious troops, in which the ſoldier's portion depended on that of the officer, who held, by ſubordination to a greater perſon, who himſelf was dependant on the king. Thus was the king lord paramount over all.

Partiality

Partiality of Monks in characterizing Princes.

Anno 657. THERE are few kings of which more good and ill has been ſaid than of Clovis II. The motives of the elogiums and invectives, ſhew the judgment and temper of the writers of thoſe times. France being afflicted with a dreadful famine, Clovis, for the relief of the poor, had the gold and ſilver plates, with which the tombs of St. Denis and his companions were covered, taken off and coined. This was a truly charitable action, and becoming a chriſtian king; but then it was meddling with the monks treaſury: Accordingly he was, ſays the continuator of Fredegarius, *a prince given up to all manner of vices, a drunkard, a profligate, a poltroon.* Clovis, ſome time after, to make that abbey amends, obtained for it an exemption from all juriſdiction, and had the inſtrument drawn up in a general aſſembly of the prelates and nobles of the nation. Now, the caſe was altered; inſtead of being that infamous monarch, *who, during his whole life, had not done one worthy action,* he was, ſays Aimoin the monk, a wiſe, valiant, equitable prince, full of devotion, *and a man after God's own heart.*

The monks have farther borne very hard on the ſame prince for cauſing an arm of St. Dennis

Dennis to be taken off and placed in his oratory, though this, at moſt, was but an act of weak devotion. But it appeared in another light to a ſet of people who, apprehending that the loſs of that limb might leſſen the concourſe to the tomb of the apoſtle of France and conſequently the abbey's emolument, declared it a crime of which heaven took the chaſtiſement to itſelf, Clovis falling into a delirium; and to that *impious* ſtep, if thoſe well-meaning ſolitaries may be believed, are to be attributed all the evils which befel France under that prince's ſucceſſors.

Royal ſeats under the firſt race.

IT would be a miſtake to imagine that the ſeats of our ancient kings were, like thoſe of the preſent time, reſidences calculated only for ſplendor and delight; they were rather wealthy farms than palaces, every thing about them having more the appearance of uſe and profit than pleaſure; as a wood, ponds, ſtuds, flocks, herds, and ſlaves buſied in the ſeveral parts of huſbandry to make the moſt of every thing under a *domeſtique* or ſteward. The number of theſe manſions within the kingdom amounted to above an hundred and ſixty; and our firſt monarchs uſed to be continually on a progreſs from one to another, during which the vil-

lages, abbies, and caſtles along the road were obliged to ſupply them; the former with carriages, the latter with lodging and entertainment, which was always very ſumptuous, beſides a preſent of plate at their departure. What at firſt was only a free gift of the vaſſal's affection, became, in proceſs of time, a tribute of his ſubjection. The kings, at length, grew weary of ſuch a roving life; but would not loſe a jot of their prerogatives, requiring, from the prelates and nobles, an acknowledgment for *giſt* or lodging, though they never came near them †.

† The hotel S. Paul, built by Charles V. to be, as it is expreſſed in his edict 1364, *the ſolemn hotel of the great entertainments*, had, like all the other royal houſes of thoſe times, large towers, as thought to give an air of ſuperiority and majeſty to the body of the building; and the gardens, inſtead of yews and limes, were planted with apple, pear, cherry-trees, and vines, together with lavendar, roſemary, peas, beans; and long latticed walks and ſpacious bowers. The yards were lined with pigeon-houſes, and full of poultry, which the farmers of the king's demeſnes were obliged to ſend to him, and were there fattened for the uſe of the houſhold. All the windows had iron bars, with a wire lattice *that the pigeons might not come and dung in the rooms.* And being painted with various colours, and with coats of arms, devices, and images of ſaints, they looked like the windows of our old churches. The ſeats were ſtools, forms, and benches. The king had red leather elbow-chairs with ſilk fringes. Beds, when ten or twelve feet ſquare, were called *couches*, and when only ſix *couchettes*; it having long been a cuſtom in France to keep favourite gueſts all night to lie with one. Charles V. uſed to dine about eleven,

State of the French army under the firſt race.

CLOVIS III. held an aſ-
ſembly of the ſtates of the *Anno* 693.
kingdom at Valenciennes, where he preſided in his royal veſture, which was a ſquare mantle, ſometimes all white, ſometimes half blue, very ſhort on the ſides, coming down to the feet before, and with a long train behind. The throne, or royal ſeat, in thoſe times, was a kind of ſtool, without arms or back, as it were, to put the monarch in mind that he was to ſupport himſelf, without relying on any other. Their crown, or rather their diadem, was a gold circle, with two rows of jewels; their ſceptre ſometimes only a palm branch; ſometimes a golden verge, or wand of the heighth of the prince, and bent at the top like a crozier. In one of theſe aſſemblies, Pepin gave notice in the king's name, that at the firſt order from the maire of the palace, every duke ſhould hold himſelf ready to march; and at the ſecond, he was, without delay, to bring his quota of men. No ſuch thing as regular troops were then known; each province had its militia; all who held *benefices* of the prince or the church,

eleven, ſup at ſeven, and the whole court was generally a-bed by nine in winter, and ten in ſummer. *Eſſais. biſt. ſur Paris.* tom. i. p. 87.

all proprietors of *Salic lands*, in a word, all Frenchmen were obliged to ſerve the king perſonally; not excepting even the biſhops themſelves: and they who were of a martial caſt put on their armour, and mingled in the battle; whilſt they who ſcrupled ſhedding blood, only lifted up their hands to heaven for the ſucceſs of the action. Some, who held ſuch proceedings incompatible with religion, uſed to purchaſe an exemption from this ſanguinary obligation, ſending, however, their vaſſals under an *avoué*, or *vidame*, who was a noble of reputation, eſpecially for courage, being choſen by the churches to defend their patrimony. A diſpenſing certificate was given to ſuch as were diſabled by age. They who failed being preſent at the general rendezvous of the army, incurred a very heavy fine.

In the provinces, and particularly towards the frontiers, were magazines for the ſubſiſtence of theſe troops. It does not appear that they had any other pay than plunder, which was all brought together, and divided in common. The priſoners became ſlaves, and the hoſtages underwent the like fate, if their principals broke their engagement. The French army under the reigns of the Merovingians conſiſted wholly of infantry. What few horſe it had was only to eſcort the general, and carry orders. The only banner of France under the firſt race was, St. Mar-

tin's hood, a piece of ſilk with the impreſſion of the ſaint on it. On ſuch occaſions, the great officers, and ſometimes the ſovereign himſelf, went in a very ſolemn proceſſion to receive it from the biſhop, who took it from off the tomb with many ceremonies and prayers. In the camp it was kept with great veneration under a tent. When an action was at hand, this reſpectable ſtandard was carried in triumph round the camp; and ſuch was the confidence of our kings in St. Martin, that with this relick of his, they thought themſelves ſure of victory.

Eccleſiaſtical affairs.

THE continual wars in which Charles Martel was engaged, either againſt the Pagans in Germany, or the Mahometans of Spain, had drained the royal treaſury, that he ſaw himſelf under a neceſſity of having recourſe to the poſſeſſions of the church. Theſe, indeed, were now become immenſe, by the indiſcrete liberalities of believers ſtripping themſelves to enrich thoſe who miniſtered at the altar; and by the improvements which the induſtry of monaſtic cultivators had made, in the waſte lands granted to them, and laſtly by the tithes, which the laity had paid *Anno* 740.

for the laſt two hundred years. Theſe at firſt were only a voluntary taxation, but afterwards levied as a tribute. St. Auſtin preaches up the payment of them as a deed of charity; the council of Tours recommends it to the French in the ſame light; whereas that of Maſon makes it an abſolute obligation. Charles thought he might very well make uſe of ſuch opulence. As he fought againſt the enemies of the church, it was no more than juſt that it ſhould contribute to the charges of expeditions undertaken for its defence. But not ſatisfied with taking to himſelf the moſt conſiderable benefices, he conferred biſhoprics and abbeys on the principal nobles of his army and gave away the parochial livings among the ſubaltern officers; a munificence which opened a door to very great ſcandals and abuſes.

The large ſees, as Rheims, Vienne, and Lion, were ſoon without paſtors; the eccleſiaſtics, to avoid being ſtripped, readily conſented to carry arms; benefices became hereditary; they were made matters of trade, and divided like other family effects. It appears by certain inventories, that churches, bells, ornaments, chalices, crucifixes, and relicks, were ſold; and this was not all. On the marriage of a daughter, a living was given for her portion, and ſhe farmed the tithes and perquiſites. Some lawyers look

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on this liberality of Charles Martel towards his military men, as the real epocha of infeodations or impropriations of tithes; that is, their being held as in fief by lords or others of the laity. Whether he did foreſee that the conſequences would be ſo very pernicious, or whether foreſeeing them, he little concerned himſelf about preventing them, is unknown. On taking a review of the ſeveral paſſages of his life, the great man appears every where, but the Chriſtian prince is often wanting.

The procedure to which Rome originally owes its temporal greatneſs.

THE Emperor Leo had ſo far declared againſt image worſhip, that he iſſued an edict for their being removed out of all churches, and broken to pieces as ſo many idols. The Popes excommunicated him, part of Italy roſe in arms, and the Lombards availing themſelves of the opportunity, ſeized on Ravenna, and threatened Rome. Gregory III., a man of inflexible reſolution, then filled the ſee of that capital of the Chriſtian world. He is the firſt Pope who openly interfered in the concerns of princes; a pernicious precedent, the conſequences of which have proved extremely detrimental both to

Anno 740-41.

the prieſthood and the empire. He wrote ſeveral pathetic letters to Charles Martel, duke of the French, imploring his protection. Charles, whether from regard to Luitprand king of the Lombards, or whether he was for bringing the Romans to more advantageous offers, deferred returning an anſwer to ſuch earneſt entreaties. This deliberate neglect did not, however, diſhearten Gregory. He ſent an embaſſy to Charles, and this was the firſt which the Popes ever ſent to the court of France. The deputies carried with them the keys of St. Peter's tomb, and ſome parts of the Saint's chains, as preſents, and were commiſſioned to make Charles an offer of the conſulſhip of Rome, on the promiſe of a powerful aſſiſtance. What Charles promiſed, is not ſaid; but it is certain that he granted the protection deſired of him. It appears, however, that he was not for breaking with Luitprand, but repreſented to him at large, that a Chriſtian prince could neither in honour or conſcience moleſt the church, and ſeize on its patrimony. The king of the Lombards, whether from fear or reflection, withdrew his troops, and reſtored to the ſacred ſee all the lands which he had reduced. To this reſolute ſtep of Gregory, Rome originally owes its temporal grandeur,

Court Entertainments.

PEPIN was ſurnamed the *Short* from his low ſtature, which ſome courtiers uſed to make a ſubject of jocularity. Theſe freedoms reaching his ears, he determined to eſtabliſh his authority by ſome extraordinary feat; and an opportunity ſoon preſented itſelf. In an entertainment which he gave of a fight between a bull and a lion, the latter had got his antagoniſt under, when Pepin turning towards his nobility, ſaid, *Who of you dare go, and part or kill thoſe furious beaſts?* The bare propoſal ſet them a ſhuddering; no body made anſwer. *Then I'll be the man,* replied the monarch; and drawing his ſabre, leaps down into the arena, makes up to the lion, kills him, and without delay diſcharges ſuch a ſtroke on the bull, as left his head hanging by the upper part of the neck. The court were equally amazed at ſuch courage and ſtrength; and the king, with an heroic loftineſs, ſaid to them, *David was little, yet he laid low the inſolent giant who had dared to deſpiſe him.* *Anno* 750.

This paſſage ſhews that fights of wild beaſts had been a common diverſion under our former kings; and they not only entertained the people with ſuch fights, but often

often had them privately, within their palaces *.

Another amuſement was the *cours plenieres*, the name given to thoſe famous aſſemblies, at which, on an invitation from the king, all the lords were obliged to be preſent. They were held twice a year, at Chriſtmas and Eaſter. The occaſion was uſually a marriage, or ſome great rejoicing and they laſted a week. Sometimes they were kept at the prince's palace, ſometimes at one of the chief cities, and ſometimes in an open field; but always at a place large enough conveniently to lodge all the nobility of the kingdom. The ceremony was opened with a ſolemn maſs †, at the beginning of which the eccleſiaſtic who officiated put the crown on the king's head, where it remained till he retired at night. During the whole time of the feſtival, the king's meals were always

* Philip de Valois, or VI. purchaſed a place near the Louvre for keeping his lions, bears, and bulls. E'Etoile relates (anno 1583) that Henry III. ordered the lions, bears, bulls, and other beaſts he uſed to bait with dogs, to be ſhot, having dreamed that they were tearing him to pieces.

We no longer divert ourſelves with ſuch ſanguinary exhibitions; and if our princes have lions and tygers in their menageries, it is only as curioſities. We certainly have all the bravery of the Romans, and without their delight in bloodſhed. *Eſſ. E.*

† Ducange Diſſert. 4. ſur le regne de S. Louis.

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in public, the biſhops and moſt diſtinguiſhed dukes ſitting at table with him. There was a ſecond for the abbots, the counts, and other nobles; and on both more profuſion than delicacy. Each courſe was carried away with flutes and hautboys playing before it. On ſerving the deſert, twenty heralds at arms, each holding a rich goblet, called out three times, *Largeſs from the moſt potent of kings*; and threw about gold and ſilver money, which was accompanied with the ſhouts of the people tumultuouſly gathering it up, and the flouriſhes of trumpets.

The afternoon's diverſions were fiſhing, hunting, play, rope-dancing, buffoons, jugglers and pantomimes. The laſt, amidſt other excellencies in their art, had a wonderful talent at inſtructing dogs, bears, and monkies, training them up to imitate geſtures, actions, and poſtures of all kinds, ſo as even to act a part of their dramas. Theſe ſhews, which were always very expenſive to the prince, made one of the favourite exhibitions of thoſe aſſemblies, that without them the feſtival would not have been reliſhed; ſuch was the taſte of that age. The reign of the Carlovingians may be ſaid to have been that of the *Cours plenieres*. The height of their magnificence was under Charles the Great; the dukes and counts reſorting

reſorting thither from all the vaſt extent of his dominions, and many attended by a brilliant court, and rivalling kings themſelves in expence.

After Charles the Simple, this magnificence continually declined. Lewis *D'Outremer* his ſon, and his grandſon, were not able, from the ſcantineſs of their income, to give theſe ſumptuous entertainments. Hugh Capet revived them, Robert continued them, and St. Lewis, in other reſpects ſo inſenſible to grandeur and ſo averſe from revelry, carried them to ſome exceſs. Charles the Seventh ſuppreſſed them, pleading his wars againſt the Engliſh, but the true reaſon was their being extremely burthenſome to the ſtate. The nobility frequently ruined themſelves there by gaming, and the monarch drained his treaſury. He was obliged every time to give new cloathing to his officers, and thoſe of the queen and the princes. From thence came the word *livery*, thoſe clothes being *livrés*, or delivered out at the king's expence. This charge, and that of the table and equipages, together with the donations and preſents which he was under a kind of neceſſity of making to the people and the great men, roſe to immenſe ſums. If there was any veſſel on his beaufet particularly coſtly, or any very curious jewel in his crown, he could not well avoid making a pre-

a preſent of them to ſome body, as it would have been a treſpaſs againſt cuſtom. A wiſe oeconomy at length aboliſhed theſe ruinous aſſemblies, as indeed they were rather faſtuous than neceſſary, or even of any good conſequence. The court, however, has not been without its entertainments, and indeed conducted with more gallantry, more politeneſs and taſte, but very little of that grandeur, that ſplendor, and that majeſty which ſhone in the ancient *Cours plenieres*.

Abuſes of aſylums, and puniſhments of theft.

CHARLES the Great called a parliament in his palace of Heriſtal. *Anno* 779. It conſiſted, as uſual, of biſhops, abbots, and lords. Several very wiſe regulations, or capitulars relating to the police, both eccleſiaſtical and civil, were enacted. The moſt remarkable related to the franchiſes of the church, and to theft. The right of aſylum was attended with innumerable abuſes; yet the parliament would not go ſo far as to authorize any violent procedure againſt a delinquent ſheltered in a ſacred place; it however paſſed an act againſt giving any food to the perſons guilty of a capital crime, who

who had ſought refuge in a church *. This was a home ſtroke to the privilege of eccle-

* The abuſes of aſylums appear to have ſubſiſted long after, as indeed they are not totally ſuppreſſed to this very day. In 1358, *Parrin Mace*, clerk to a banker, murdered the treaſurer of the finances. The dauphin, afterwards Charles V. ordered the marſhal of Normandy to go and take him out of the church in which he had ſheltered himſelf, and to ſee him hanged, which was executed. The biſhop of Paris exclaimed againſt it as a horrid impiety, a flagrant violation of the eccleſiaſtical immunities, ſent people to take the murderer's body from the gibbet, and beſtowed a ſplendid funeral on him in the very ſame church, he himſelf aſſiſting at the ceremony. Some days after, the ſame officer was killed in a ſedition, in ſupport of his king's intereſts, and the ſame biſhop forbad his being buried in any church or church-yard, ſaying, he had incurred excommunication by taking *Parrin Mace* out of a ſacred place, and that an excommunicated wretch was not to be buried among the faithful. Had this prelate been thoroughly acquainted with the Old Teſtament, he would have there ſeen that the *places of refuge* appointed by Moſes were not for murderers, but for an involuntary homicide. *If a man come preſumptuouſly on his neighbour, to ſlay him with guile, thou ſhalt take him from my altar that he may die.* Exod. xxi. 14.

The year 1365 affords another inſtance of the abuſes of theſe aſylums. *William Charpentier* murdered his wife, and he himſelf, beſides other manifeſt proofs, owned himſelf guilty, but he had fled to a hoſpital. Some officers of juſtice, however, were ſent to take him and bring him to priſon. Hereupon he preferred a complaint to the parliament, who laid a fine on the officers, and ordered the ſaid *William Charpentier* to be returned to his aſylum, which was done accordingly, and it is certain he never was puniſhed.

ſiaſtical

ſiaſtical immunity; a privilege, of which the biſhops being extremely jealous, left no ſtone unturned to avert it; but reaſon, backed by authority, carried it againſt the joint efforts of prejudice and ſelfiſhneſs. The ſame parliament, taking into conſideration the frequency of theſts and robberies, enacted, that the firſt larceny ſhould be puniſhed with the loſs of an eye. The puniſhment for the ſecond was the cutting off the noſe, and the third was made capital.

Curious tent and clock.

THIS year of tranquillity was devoted to acts of piety. Charles the Great had ſet up magazines of corn in ſeveral parts of his dominions, for the ſupport of his troops, and now he ordered it to be delivered out to the poor at half the price fixed by the edicts. His charity extended itſelf even beyond the ſeas, ſending ſome perſons of rank into Egypt and Syria, to diſtribute conſiderable ſums among the churches, which ſuffered extremely under the tyranny of the infidels. Theſe envoys were likewiſe charged with magnificent preſents to the Calif of the Saracens †, that he might be brought to *Anno* 790.

† Eginard in Vit. Carol. Magn.

treat

treat the Chriſtians in his dominions with ſome humanity. His name was Aaron; and if Charles was the Weſtern hero, he was the Eaſtern, and had conceived ſuch an high idea of the French monarch, that to gain his friendſhip, he gave up to him the ſovereignty of the Holy Land, reſerving to himſelf only the title of his lieutenant. Among other preſents ſent in return by this Calif, was a tent of fine linen of various colours, and its heighth beyond a bow ſhot; and withal ſo large, as to contain as many apartments as a ſtately palace. But what chiefly drew the attention of the curious, was one of thoſe clocks or time-keepers called *clepſydræ*, ſet a-going by water. This clock had twelve little doors, repreſenting the diviſion of hours *. Every door opened at the hour which it was to indicate, and through it paſſed a like number of little balls, falling at different equal times on a braſs drum. The eye perceived the hour by the number of doors open, and the ear by the ſucceſſive ſtrokes of the balls. On ſtriking the twelfth hour, twelve little horſemen iſſued out all together, and going round the clock, ſhut all the doors again.

* Eginhard, in Vit. Car. Magn.

End

End of the Kingdom of the Lombards. Kingdom of Italy.

CHARLEMAIN now preſſed the ſiege of Pavia, *Anno* 774. and famine had excited ſuch violent murmurs, that Harabel being looked on as the author of the war, was killed in a ſedition. Didier the King, fearing for his perſon, ſubmitted and delivered up to the conqueror, himſelf, his wife, daughter, and treaſures. He was ſent away to a monaſtery in France, with orders for his being made a monk. The whole country following the capital's example, Charlemain cauſed himſelf to be crowned King of Lombardy.

Such was the period of the reign of the Lombards, after a duration of two hundred and ſix years. Its ruins gave birth to a new monarchy, afterwards diſtinguiſhed by the name of the Kingdom of Italy, and which contained not only the countries now called Piemont, Montferrat, the ſtate of Genoa, the dutchies of Parma, Modena, Tuſcany, Milan, countries of Verona and Friuli, but likewiſe all that Charlemain had made a grant of to the Pope; that is, the exarchate of Ravenna, the countries of Pentapola, Sabina, and Terrauna, the dutchies of Spoletto and Benevento, the marquiſate

of Ancona, the Ferrareſe, the Bologneſe, the iſland of Corſica, the provinces of Venice and Iſtria, the Mantuaneſe, and the dutchy of Reggio. It is to be obſerved that this religious prince, amidſt all his uſufructuary donations to the Popes, had the prudence to reſtrain their temporal authority within the limits proper for a ſubaltern power. Every thing was tranſacted in Rome by abſolute orders from the King; the coinage was in his name; the public inſtruments were dated from the years of his reign; an appeal lay to his juſticiaries from the ſentences of the pontiffs, relatively to their own vaſſals. The Popes themſelves, in their perſonal concerns, had frequent recourſe to the French monarch's equity, of which the affair of Leo III. before mentioned, is a ſtriking inſtance.

Academy inſtituted by Charlemain.

Anno 782. CHARLEMAIN, after ſpending the winter at Pavia, went to keep his Eaſter at Rome. In this journey it was that he had long conferences with Alcuin, an Engliſhman, eminently diſtinguiſhed for his learning and virtue. The monarch's great qualities had drawn him into France, and his favours fixed him there. By his counſel it was that the

the King erected in his palace an academy, which became the model of ſeveral others. Its buſineſs was the ſtudy of philology; and the ſcope of it to propagate literature throughout the whole extent of the French empire *. That great prince accounted his being a member of that ſociety an honour, as both uſeful and pleaſing. He ſeldom failed being preſent at their meetings, delivering his opinion, and familiarly engaging in the argumentations. The moſt uſual ſubjects of their diſſertations were grammar, rhetoric, and aſtronomy, a ſtudy of which Charles was

* The fine arts and ſciences had flouriſhed in Gaul, ſome centuries before this happy æra. Marſeilles, Lion, Toulouſe, Bourdeaux, Treves, Poitiers, Clermont, and other cities, had celebrated academies, in which were taught, philoſophy, phyſick, mathematicks, aſtronomy, law, grammar, poetry, and eſpecially eloquence. Among the profeſſors were Petronius, no leſs known for the purity of his ſtile, than the obſcenity of his ſatirical portraits; Trogus Pompeius, ſo celebrated for his univerſal hiſtory, the loſs of which ſtill continues to be lamented in the learned world; Salvian Proæreſius, to whom the capital of the world erected a ſtatue with this glorious inſcription, *Rome, the queen of kings, to the king of eloquence*; and laſtly, omitting many others, Auſonius, whom merit, by the help of fortune, raiſed to the ſecond dignity of the empire. The principal glory of the city of Lion, is to have been the ſeat of that formidable Athenæum, to which the greateſt orators came annually to contend for the prize of eloquence, in a general aſſembly of the ſeveral nations of Gaul. *The puniſhment inflicted on the loſers was to efface their own writings with their tongues, or to be tumbled off the middle of the bridge into the Saone.*

very fond. In his annals are found ſome very curious aſtronomical obſervations. All the courtiers who had a juſt claim to the title of wit or ſcholar, were admitted into this illuſtrious company. Every academician took a particular name expreſſive of his inclinations, or of his delight in ſome famous ancient author. The King choſe that of David. *I alone have kept home*, ſays Alcuin, in a letter to the archbiſhop of Mentz. *As for you*, Dametas, *you are in Saxony*. Homer *is in Italy*. Candidus *is in England*.—*God grant that we may ſoon ſee the victorious* David, *and all his brave attendants*.

Great advantages accrued to France from theſe literary conferences. To Charles, indeed, it owes the revival of arts and ſciences, that the glorious title of reſtorer of learning was no flattery. He had brought from Italy teachers of arithmetic and grammar. Soon came out a capitulary, ordering ſchools to be opened in the cathedral churches, and the wealthieſt abbies; and theſe were reſorted to in crowds, for learning divinity and logic. The eccleſiaſtics now began to underſtand the ſcriptures, and the monks their pſalter. From this eſtabliſhment, ſome date the foundation of the univerſity of Paris, the firſt and the moſt celebrated in all Europe.

Charles

Charles did not meet with quite the ſame obſequiouſneſs to ſome uſages which he was for introducing into France. Pſalmody began in the church very early, though *till the latter part of the fourth century it was not ſo much ſinging as a more pathetic and ſtronger pronunciation.* Pope St. Gregory, who underſtood ſomething of muſic, reformed this ſinging as too uniform, and thus very tedious. All the churches in Italy had come to the new method, whereas thoſe in France would not hear of a change, affirming their ſinging to be as good and muſical as the Roman. The King's choriſters made a jeſt of the Pope's, and the latter did not ſpare thoſe of the palace. Theſe railleries occaſioned a challenge and trial of ſkill, which Charles gave in favour of the papal choriſters, and ordered the Gregorian ſinging to be uſed in all the churches throughout his dominions. Some obeyed, others took only a part of that ſinging, intermixing it with theirs. This mixture ſubſiſted a long time, and more eſpecially for the pſalms and anthems. The monarch was likewiſe for introducing into his churches the liturgy, or maſs, as uſed at Rome, but herein he met with greater difficulties. The French clergy, jealous of their antient uſages, ſet themſelves againſt it in a body as an innovation; the royal authority, however, at length, prevailed *.

* After ſuch an account of Charlemain, the following paſſage amazes: Charles confirmed the inſtrument

Trial by the Croſs.

CHARLEMAIN ordered by his will, that in caſe of any differences between his ſons concerning the appointed partitions of his dominions, and which could not be properly decided by the depoſitions of men, recourſe ſhould be had, not to combat or a duel, but to the trial of the croſs: this was now become the cuſtom, and however odd, was dignified with the appellation of *God's Judgment*. In doubtful caſes two men were choſen, and led in great ceremony to a church. Here they ſtood upright, with their arms extended in the figure of a croſs, and in the mean time divine ſervice was celebrated. That party whoſe champion kept his poſture the longeſt, was declared to have gained the cauſe *.

with his hand, that is to ſay, his mark; for it is to be obſerved, that this prince, one of the moſt learned men of his age, *could not write*.

* The biſhop of Paris, and the abbot of St. Dennis, being at variance concerning the patronage of a monaſtery, king Pepin referred them to the *Judgment of God by the Croſs*. The biſhop and abbot having each appointed a man, they went into the court chapel, where, after ſome prayers, they ſtretched out their arms. The people devoutly looking on, betted who would hold out longeſt; but the biſhop loſt the cauſe, his man dropping his arms firſt. *Gloſſar. Ducange verbo Crux.*

Charlemain's

Charlemain's magnificence and attention to the duties of Royalty. Chapel and Palace at Aix la Chapelle.

PEPIN, laden with the ſpoils of Pannonia, moved towards Aix la Chapelle, to which place the King his father, after ravaging Saxony, had repaired with Lutgarde, whom he had lately married. The young prince's march had the appearance of a triumph, his habiliments, and thoſe of his ſoldiers, glittering all over with gold and ſilver; never had any magnificence like this been ſeen in France. All places rang with applauſes of the hero, who, at the early age of twenty years, had not only quelled, but in ſome meaſure exterminated a nation which for above two hundred years was the terror of all Europe. He ſpent the remainder of the winter at Aix, celebrating the feſtivals of Chriſtmas and Eaſter, in the ſuperb chapel which Charles had juſt built in honour of the Virgin Mary, and from whence that city, which he afterwards made the ſeat of his empire, derived its ſurname *. It was, ſays Eginard, an admirable edifice both in workmanſhip and conſtruction. All the fineſt marble pieces in Rome and Ravenna, were made *Anno* 799.

* Eginard in Vit. Carol. Magn.

uſe of for its decoration, and the dome was ſurmounted with a globe of maſſive gold. The gates, doors and baluſtrades, were of bronze; all the veſſels and chandeliers gold or ſilver, and the ſumptuouſneſs of the ornaments unparallelled.

The palace built by the ſame monarch in the ſame city was equally magnificent; ſome cotemporary writers ſay, that ſeveral of its piazzas were of ſuch a largeneſs as conveniently to hold all the ſoldiers and houſhold; and over theſe ſpacious walks were lodgings for the lords of the court. The ordonance of the building was ſo diſpoſed, that the King could ſee every one who came into the other apartments without ſtirring out of his room. It had likewiſe ſeveral large chambers; ſome for the conferences of the eccleſiaſtics belonging to the palace with the prelates who came to court on the affairs of their churches; others for the diets of the great vaſſals; others for thoſe mixed aſſemblies called ſynods or *pleadings*, being in effect both councils and parliaments, as compoſed of the clergy and nobility: Many others equally ſpacious and ſplendid were for auditories or courts of particular officers, as that of the *Apocriciarius* or lord almoner, who, at that time, had cognizance of all eccleſiaſtical affairs, except thoſe which the King had reſerved

reſerved to himſelf; that of the count of the palace, who determined every thing relating to the royal houſhold; and that of the chief referendary who kept the King's ſeal, ſigned grants and drew up all inſtruments; beſides all theſe, apartments for every domeſtic officer, for the chamberlain, whoſe chief function was to receive the Queen's orders for the preſents made to foreigners, to embaſſadors and to the troops; for the ſteward, for the chief butler, for the conſtable, for the grand marſhal, for the four huntſmen, for the falconer, for the counſellors of ſtate, for the deputies of all the countries ſubject to France, and likewiſe for all the vaſſals who followed their lord to court.

The *Thermæ* or hot baths, thoſe aſtoniſhing works of art and nature, muſt not be omitted; theſe were ſo large as to afford convenient room for above a hundred perſons ſwimming at once. This was one of the monarch's moſt uſual exerciſes, and not only with the Kings his ſons, but often with the nobles of his court; ſometimes even with the officers and ſoldiers on duty: and the author of his life obſerves, that no man equalled him for ſwiftneſs and dexterity. Horſe-racing and hunting likewiſe made a part of his amuſements, but his favourite entertainment was reading. The works of St. Auguſtin, eſpecially his City of God, were

were ſometimes read to him whilſt at table, and ſometimes the hiſtory of the Kings his predeceſſors. He himſelf often employed himſelf in reading the ſcriptures, and the explanatory writings of the primitive fathers.

The hiſtory of his reign ſhews him to have divided his application between two kinds of buſineſs, according to the different ſeaſons. Summer and autumn were aſſigned to military expeditions and journies to the frontiers: winter and ſpring were taken up with the domeſtic concerns of the kingdoms, in which he was very ſedulous and ſtrict; there was not an inſtant in the whole year, not a moment of the day in which he was known to put off the adminiſtration of juſtice, as the capital buſineſs and proper duty of Kings. He was ready at all times and places to give audience; he would often break off his ſleep and riſe four or five times in the night, ordering admittance not only to his friends, but any who had ſome proceſs which the count of the palace could not terminate. Even whilſt dreſſing, the time was huſbanded to ſome good purpoſe, hearing the complaints of his ſubjects, and adjuſting their differences with a wiſdom, mildneſs and equity, which left no cauſe of complaint. In theſe intervals he likewiſe uſed to give orders to his officers and miniſters; and ſuch was his perſpicacity, that amidſt all

all the multitude of various affairs, he was never at a loſs, never perplexed, never diſturbed.

Charlemain acquits Pope Leo III. Mutilation a common Puniſhment. Charles proclaimed Emperor againſt his inclination. End and Revival of the Weſtern Roman Empire.

Anno 800. CHARLES convened the clergy and nobility in St. Peter's church, and on hearing the charge and defence, the whole aſſembly declared for the Pope; but the King intimated to him, that it would be proper to clear himſelf by oath; accordingly Leo made his appearance next morning, and taking up the four goſpels, went up into the pulpit, where he proteſted before God and all the people, that he knew nothing of the crimes imputed to him. Here Charles proceeded to ſentence, declaring him innocent, and condemning his enemies to die; but the merciful Leo prevailed with the emperor that they ſhould not be ſo much as mutilated: *a penalty ſo common in thoſe days, that the very abbots inflicted it on their monks.*

The Romans, to ſecure to themſelves the French monarch's protection, agreed to proclaim

claim him Emperor of the Weſt; a title which had now been extinct above three centuries. The Pope, in the name of the nobility, clergy and people, made the propoſal to the King, who, whether from his natural moderation, or having ſo many wars on his hands, was unwilling to plunge himſelf in farther troubles, peremptorily declined the dignity, and forbad any farther mention of it; that the intention ſeemed totally dropped. Chriſtmas being at hand and to be celebrated with ſingular magnificence, Charles was requeſted to aſſiſt at the feſtival in the Patrician habit, and would not deny the Romans ſo ſlender a ſatisfaction.

Though very averſe to wearing any other dreſs than the French, he put on a long tunic with a full training mantle, and one of the ſides tucked up at his right ſhoulder. On his entering the church, all Rome burſt into acclamations. He went up to the altar, and when about making the inclination of worſhip, the Pope, who was going to celebrate maſs, put the crown on his head, all ranks at the ſame time ſhouting, *Long live Charles, always auguſt, the great and pacific emperor of the Romans, may God crown him, and be he ever victorious.* Leo immediately proſtrated himſelf, and, according to our annaliſts, was the firſt in adoring him, that is, in paying him the reſpects and homages due

due from a ſubject to his ſovereign. This is the epocha of the revival of the Roman empire in the Weſt. It had terminated in Auguſtus, it was renewed in Charlemain, and ſtill ſubſiſts in the Germanic body.

Charlemain's ſurprize at ſeeing himſelf homaged as emperor is ſaid, by the writers of thoſe times, to have riſen to a kind of anger; he openly proteſted that had he known any thing of it, he would not have come to the church, though ſo high a feſtival. From this time all inſtruments at Rome were dated from the year of the empire and conſulſhip of Charlemain, according to the cuſtom of the four Cæſars; and on one ſide of the coin was the new emperor's name, and on the reverſe, that of the Pope or the image of St. Peter. What was the nature of thoſe two authorities, has ever been, and ſtill is, matter of great debate. Sad effect of prejudice. Hiſtory affords nothing more reſpectful and ſubmiſſive than Leo's letters to Charlemain*; it appears from them that he uſed to ſend officers into the eccleſiaſtical ſtate to adminiſter juſtice, and carry his orders into execution. If this be not ſovereignty, what is? *The Kings of*

* Epiſt. 1, 5, 10. Collect. Concil. inter oper. Henric. Caniſi.

Scotland

Scotland ſtiled him their Lord, and profeſſed themſelves his ſervants †.

Death and Tomb of Charlemain.

Anno 814. CHARLES, ſenſible that his death was at hand, croſſed himſelf on his forehead and his heart, laid his hands on his breaſt, cloſed his eyes and expired, diſtinctly uttering theſe words of the pſalmiſt: *O Lord, into thy hands I commit my ſpirit.*

He was buried, or rather taken down into a vault, and there ſeated on a golden throne, cloathed in his imperial robes, and having on the hair ſhirt which he uſually wore; his ſword by his ſide, a crown on his head, his book of the goſpels on his knees, his ſcepter and buckler at his feet, both of gold, and conſecrated by Pope Leo. Over his royal mantle was put the large pilgrim's purſe, which he uſed to carry in all his journeys to Rome. The vault was all over perfumed with odours, and gold pieces to a vaſt amount, depoſited in it. On its being cloſed and ſealed up, over it was erected a ſtately triumphal-arch, with this epitaph:

† Eginard in Vita Carol. Magn.

Here

Here reſts the body of Charles, a great and orthodox emperor, who glorioufly extended the kingdom of the French, and governed it happily during forty-ſeven years. He died in the 72d year of his age.

State of Trade in the 8th and 9th Centuries.

THERE was a ſettled trade between France and England, till Charlemain, offended at the preſumption of Offa, king of the Mercians, prohibited all manner of dealing between the two nations; and it was not till two years after, that it returned into its former channel. In theſe times, ſcarce any other trade was known than that carried on in markets or fairs; theſe were almoſt the only places for providing one's ſelf with neceſſaries. Artificers and dealers lived apart diſperſed in the country; the towns were chiefly inhabited by the clergy and ſome handicraftſmen, with few or no monks or nuns, the far greater part of the monaſteries being either in the open countries or the neighbourhood of the cities. The nobility lived on their eſtates, or attended on the court. The *Pote* people were ſo far under their lord's power, as not to quit the place of their birth without his leave; the villain was annexed to the eſtate, and the ſlave to the maſter's houſe or land. Such a diſper-

 ſion

ſion was little promotive of trade, which loves large and policed communities; and it was to remedy this inconvenience that our Kings eſtabliſhed ſo many fairs. One of the moſt famous, was that of St. Dennis, traders reſorting to it not only from all parts of France, but from Frieſland, Saxony, England, Spain and Italy. We find, however, that in more diſtant ages, trade was not abſolutely confined to thoſe markets alone, or to European foreigners. The city of Arles, under the firſt reigns of the Merovingians, was in great repute for its manufactures, its embroideries, and gold and ſilver inlaid works, and like Narbonne and Marſeilles, frequented by ſhips from the Levant and Africa; but this proſperity gradually ſunk under the devaſtations of continual wars, the Aſiatics and Africans no longer coming to our ports. Such however is the force of original and innate diſpoſitions, that Narbonne, Arles and Marſeilles, ſtill retain that commercial and naval genius which had made them the ſtaples of the univerſe under the Carlovingians. They kept a certain number of ſhips trading to Conſtantinople, Genoa and Piſa, and Alexandria. Lewis the *Gracious* granted a charter to a body of merchants without any other acknowledgment or obligation than to come once a year and account with his exchequer.

The

The French appear to have little buſied themſelves in trade under the two firſt races of our kings, leaving it almoſt entirely to foreigners. Spain furniſhed them with horſes and mules; Frieſland with party-coloured mantles, upper garments furred with marten, otter and cat-ſkin; England with grain, iron, tin, lead, leather and hounds †; the Eaſt and Africa with drugs, exquiſite vines, and Egyptian paper, the only ſort uſed in France till the eleventh century ‡, and olive oil, which at that time was ſo ſcarce in our climates, that at a council held at Aix la Chapelle, monks were permitted to uſe bacon oil. If foreigners imported only common goods to France, its exports were anſwerable, conſiſting uſually of potters ware, braſery, wine, honey, madder, and ſalt §.

The collection of the capitularies contain many ordinances relating to commerce in general. The ſlave trade, and that of wines, ſilver, coſtly veſſels and jewels, were then very common in France. By ſome ordinances, markets are not to be ſet up without a licence from the king, nor to be held

† Monach. Sangal. t. 2. de reb. bell. Carol. Magn. c. 14.

‡ Greg. Tur. l. 6. c. 6. l. 5. c. 5. l. 4. c. 44.

§ Capit. an. 803. c. 2.

on Sundays or great feſtivals; others inflict a ſevere penalty on ſelling a ſlave clandeſtinely, or a Chriſtian to Jews and Pagans. Some forbid all ſales by night; others enjoin the ſame meaſures and weights to be uſed all over the French empire. A Jewiſh trader paid the tenth part of his profit, and a Chriſtian the eleventh. Theſe impoſts, with the ſeveral tolls and duties on imports and exports, made a conſiderable part of the royal revenue.

Miſſi Dominici.

Anno 814. LEWIS I. in the very ſame year that he aſcended the throne, held a general aſſembly of the prelates and nobles of the nation at *Aix la Chapelle.* It appeared that the people in ſome places were extremely oppreſſed. The emperor, to put a ſtop to theſe grievances, immediately ſent ſome eminent perſons of his court, as *Miſſi Dominici.* This was the name then given to commiſſaries appointed by the kings for viſiting the provinces, and to cauſe their ordinances to be publiſhed and executed in the provinces: a name as ancient as the monarchy itſelf. The country furniſhed them with lodgings, and a certain quantity of proviſions. One principal buſineſs of theſe deputies was to hear complaints, and, if the caſe allowed of it,

it, to decide them ſummarily, otherwiſe to lay it before the monarch; to puniſh counts or biſhops found guilty of malverſation, to reverſe and rectify their iniquitous ſentences: in a word, to ſee that the laws were punctually obſerved. They were ſometimes employed to form a terrier of lands, which the king or church gave as a benefice. Their times of viſitation began in the months of April, January, July and October; and their ſeſſions were always held in a publick place, with free and eaſy acceſs to every body. The judges were ſummoned, in order to juſtify their conduct againſt any complaints that might be made. There is no need of pointing out the wiſdom of ſuch a regulation.

Behaviour of the Popes toward the Emperor.

POPE Leo was ſucceeded by Stephen the deacon, *Anno* 816. who took poſſeſſion of the pontificate, without ſtaying, according to cuſtom, till the Emperor had confirmed his election. He, however, cauſed the Romans to take the oath of allegiance to Lewis, and came to Rheims to pay his duty to him. Lewis having a great deſire to be crowned by the pointiff, the ceremony was performed accordingly, and Stephen put on his

head a golden crown, enriched with gems, which he had brought from Rome.

Stephen dying within a few months after that famous interview, Paſchal II. was choſen his ſucceſſor, and imitated his miſtake in preſuming to be conſecrated without the Emperor's approbation. The monarch ſeemed highly offended, and threatened ſo loud as to fill Rome with conſternation, and to produce very humble excuſes for what had paſſed; which the good-natured and devout Lewis was pleaſed to accept, and confirmed Paſchal; but, at the ſame time, threatened the Romans with the moſt terrible puniſhments, if ever they forgot themſelves ſo far again. It ſeems, however, that from a *ſilly condeſcenſion* (as Paſquier calls it) he gave up the right of confirming the Popes. *The Italians* (ſays that author) *who, to enrich themſelves by plundering us, were not ſparing of fine words, made a ſhew of attributing this puſillanimous conceſſion to piety, and honoured him with the Latin ſurname of* Pius. *But the men of ſenſe in our France, who underſtood the world, imputing it to a want of firmneſs, called him* le Debonnaire, *a word, which is generally thought to imply ſomething of the fool* †. No certain

† Recherches de la France, l. 3. c. 4. p. 173. l. 5. c. 3. p. 441.

monument, however, is found of this ſuppoſed ceſſion; and ſeveral years after, Gregory IV. would not be inſtalled till the Emperor had confirmed his election. As to the ſurname of *Debonnaire*, it is on the coins of this prince, which ſufficiently proves it to have been an honourable epithet.

Lewis having always the reformation of the clergy at heart, convened a council at Aix la Chapelle, for regulating the canons, canoneſſes, and monks. The latter, in the ninth century, were capable of inheritance, and had eſtates or fortunes of their own, which, after their death, went to the monaſtery. The canoneſſes were real nuns, living in canonries, under a vow of chaſtity, wore the veil and black veſture. They kept their fortunes in their own hands, and were allowed maids. All apparel and dreſs which ſavoured of *mundaneity* was forbidden to biſhops; with whom it was common to wear rich veſts, laced and embroidered girdles, at which hung a ſmall knife, all garniſhed with gems; and likewiſe a ſhoulder-belt and ſpurs. This ridiculous parade they were now obliged to lay aſide, but not without the violent reſentment of many, and which afterwards diſcharged itſelf on the pious reformer.

Progreſſes of the Papal power.

Anno 823. IT was, however, with great reluctancy, that Rome remained ſubject to the French yoke; and the Popes were beginning gradually to take upon themſelves an independent authority. The diſtance of places not always allowing to wait for the court's orders, when they came to hand, matters were found to have been determined, under pretence that they required diſpatch. The young Emperor *Lothario*, Lewis's ſon, had made a journey into Italy, purely for reſtoring the adminiſtration of juſtice, and redreſſing grievances, which endeared him to all ranks. Two officers of the Roman church, Theodore the *Primicarius* †, and Leo the *Nomenclator* ‡, ſhewed themſelves very aſſiduous in his ſervice, and full of reſpect for his perſon. This their zeal for the Emperor diſpleaſed the Pope, who, however, concealed his jealouſy; but the prince was no ſooner on his return, than the two cour-

† Formerly a great officer in the court of the Roman Emperor. That title was afterwards given to the principal eccleſiaſtic of a cathedral, and at length came to ſignify only the head choriſter.

‡ An officer in the court of Rome, who takes down the names of perſons deſiring acceſs to the Pope.

tiers

tiers were ſeized, their eyes put out, and both beheaded in the palace of St. John de Lateran. This appeared a very ſtrange procedure to the Emperor, who accordingly ſent commiſſioners to Rome, to inquire into the fact. Paſchal offered to ſwear to his innocence; and thirty-four biſhops joining with him, their oath was admitted, Lewis being tender of proſecuting an affair which might have proved a notorious ſcandal, and brought diſgrace upon the church, that juſtice did not take place. It was, however, thought proper to reſtore the ancient cuſtom of ſending to Rome, from time to time, officers inveſted with great authority, to reſtrain the avarice of magiſtrates, and try proceſſes of any ſingular importance.

Trials by fire and water.

THE Empreſs Judith had been diſmiſſed, on a ſuſpicion of incontinency, and being ſeized by the King of Aquitain, he had her condemned to perpetual baniſhment, and forced her to take the veil in a monaſtery; but the ſtorm of a revolt being now blown over, the great buſineſs was to recall the Empreſs. The Pope and the biſhops aſſured the Emperor he might do it *Anno* 831.

with a ſafe conſcience; that the princeſs's monaſtic engagement having been forced, it was abſolutely void. She accordingly made her appearance before the aſſembly at Aix la Chapelle, where ſhe ſolemnly ſwore herſelf innocent of all the crimes laid to her charge, offering likewiſe to ſtand the trial by fire. An abſurd cuſtom, and inſerted here only as a farther inſtance of the weakneſs of the human mind.

A way of clearing one's innocence in thoſe ancient times, was to handle a piece of iron, heated more or leſs, according to the violence of the ſuſpicion. It was conſecrated, and carefully kept in ſome churches; for all had not this privilege, which was no leſs profitable than honourable †. This piece of iron was either a gantlet, in which the party accuſed was to thruſt his hand, or a bar, which he was to take up two or three times. His hand was then wrapped up in a bag, on which the judge and the adverſary put their ſeals, not taking them off till three days after. If there was no mark of a burn, he was acquitted; but any remaining impreſſion of the fire, was a proof of guilt. This was the trial of the nobles, prieſts, and gentry. That of the commonalty was by plunging the hand in boiling

† Du Cange's Gloſſary, at the words *Ferrum*, *Aqua*.

water;

water; or by throwing the party into a large veſſel of water, with his hands and feet tied. Theſe ceremonies were preceded by a form of prayers. If he floated, he was concluded guilty; if he ſunk, he was declared innocent. It was the perſuaſion, at that time, that God would work a miracle ſooner than innocence ſhould ſuffer; a notion equally ſuperſtitious and abſurd; but withal ſo ſtrong, that it ever proved one of the great obſtacles towards the aboliſhment of cuſtoms ſo contrary to reaſon. Accordingly it was not till the thirteenth century that they were ſuppreſſed, and then by a ſolemn decree of the council of Lateran, under the pontificate of Innocent III.

It may, perhaps, be aſked, what is to be thought of theſe trials, and the miracles with which they are ſaid to have been attended? Was all which is related on this head, really ſupernatural, or the doings of artifice and ignorance? Theſe miraculous facts are ſo generally agreed on by all hiſtorians, that to deny them ſeems, in a great meaſure, overthrowing all the foundations of hiſtory: but can credit be given to them, without overthrowing all the principles of reaſon? I ſhall anſwer this no leſs important than curious queſtion, from the memoirs of the academy *des Belles Lettres.* It is firſt obſerved †,

† Mem. de Litterat. tom. 15.

that

that trials have never been ſolemnly approved by the church; that among the great number of thoſe who relate theſe ſuppoſed miracles, ſome deſerve very little regard, others do not relate them as certain facts, but as the hiſtory of vulgar belief; laſtly, that in thoſe very ages when this ſuperſtition had received the ſanction of the laws, it met with oppoſers, who openly refuſed to ſubmit to it; and the ſecond council of Aix la Chapelle calls them artifices tending to confound truth and falſity. "George Logothetes ſpeaks of a perſon who, in the thirteenth century, refuſed to ſtand the fiery trial, ſaying, that he was no mountebank. The archbiſhop beginning to urge him to a compliance, he made anſwer, that he would take the red-hot iron into his hands, if his Grace would give it him in his. The prelate, who was too knowing to comply with the propoſal, allowed that it was not proper to tempt God."

The good archbiſhop, to be ſure, had no ſtrong reliance on a miracle; and the dioceſan knew he had neither intereſt to procure, nor ſkill to work one. It is a well known fact, that there are drugs which hinder the action of fire: nothing is ſo common in our days. It appears beſides, that the iron was heated more or leſs, according to the heinouſneſs of the charge; and

and was it not alſo according to the rank, power, and liberality of the party accuſed? Might not a ſufficient time be employed in prayers, ſprinklings, and other ceremonies, for the iron's cooling, ſo as to be handled without danger? There are ſo many ways of impoſing on the rude ignorance of the populace, who are always very fond of the marvellous. In the trials with boiling water, could not a tub be contrived with a double bottom? for then the heated air would, by means of pipes, make the water, though ſcarce lukewarm, bubble up, and thus appear as boiling, eſpecially to a ſimple crowd, who always ſee things as they would have them? As to the trial in cold water, ſome patients had ſuch a quantity of cords put about them, as ſufficed to make them float. This iſſue being, on a very ſtrong preſumption, always managed againſt the perſon accuſed, countenanced the prejudice, and kept up the ſuperſtition. There are, farther, not a few perſons, the breadth of whoſe breaſts, and the lightneſs of their lungs, will buoy them up, when the cordage with which they are bound, together with their body, forms a volume ſpecifically lighter than the water.

It is farther to be noticed, that among the accuſed, there were many whoſe condemnation was a matter of little concern to the public,

public, who, beſides, were always overjoyed at any prodigy which juſtified their infatuation for the marvellous. Our old hiſtories abound with inſtances of women accuſed of adultery; that is, whoſe adverſary was only one ſingle man; all the other being generally her zealous defenders, or very favourable judges. For theſe occaſions there was always a miracle ready at hand, yet, in reality, nothing but what is very common.

But it will be ſaid, all did not come off ſo well. No; and the reaſon of it is very plain. All did not uſe the ſame precautions, or had not the ſame intereſt; and the accuſers often kept too watchful an eye for any fraud to be carried on. In theſe caſes, the party accuſed infallibly burnt himſelf. This is quite natural. A remarkable inſtance of this is ſeen in what happened at Conſtantinople under Andronicus, ſon to Michael Paleologus. "The clergy being "at variance about the election of a patri-"arch and ſeveral other articles; it was "agreed that each party ſhould write down "its reaſons in a ſeparate paper book; that "afterwards the two books ſhould be thrown "into the fire, and that the party on whoſe "book the flames took no hold, ſhould be "declared orthodox and authoritative. This "was fairly performed on both ſides, and

"the

" the iſſue juſt what might be expected;
" both the paper books were conſumed." *

* Of theſe two trials Mr. St. Foix gives the following ſhort account. The trial or *judgment of God by cold water*, was to throw the party accuſed in a veſſel of water, with his right hand bound to his left foot, and his left hand to his right foot. If he ſunk, he was adjudged innocent; if he floated, it was a proof that the water, which was always conſecrated, would not receive him, and of courſe he was guilty. The party condemned to the *judgment of God by fire*, was obliged to carry nine, and ſometimes twelve paces, an iron bar of about three pounds weight. This trial was likewiſe made by putting the hand in an iron gantlet, juſt taken out of the furnace, or by dipping it in a veſſel of boiling water, and taking out of it a conſecrated ring, ſuſpended in it at a greater or leſs depth. The patient's hand was afterwards wrapped in a piece of linen, on which the judge and the adverſary put their ſeals, which, at the end of three days, were taken off; and if no mark of burning appeared, he was acquitted.

The irons and other inſtruments appertaining to trials were conſecrated, and kept in churches *privileged for that purpoſe*. The emoluments accruing from them was an additional reaſon for fomenting credulity. Thoſe times ſeem to have little minded the precept, *Thou ſhalt not tempt the Lord thy God*.

I am ſorry the author of *The Spirit of Laws* ſhould imagine that our forefathers had hands like crocodiles paws. *Is it not evident*, ſays he, ſpeaking of the trials, *that the ſkin of a people continually handling arms muſt become hard and callous, as not to be ſo far impreſſed by hot iron or boiling water, to leave the mark viſible three days after; and if it did, it ſhewed the patient to be an effeminate perſon.* Effeminate perſons, it will be anſwered, may be very good ſort of people. *The hands of our ruſtics*, adds he, *are ſo callous, as to make nothing of handling hot iron.* Here again it will be ſaid, Where has he ſeen any ſuch thing?

Preſumption

Preſumption of Biſhops.

Anno 829. LEWIS I. as emperor and king of France, convened a general aſſembly at Worms, where, among other affairs, the report of the great officers ſent through the country to inſpect into the diſorders of the empire, was taken into conſideration. Among theſe was the celebrated Vala, abbot of Corbia, whoſe birth and capacity, virtues and former ſervices, rendered him equally beloved and reſpected by the whole nation. He took upon himſelf to give the emperor ſome admonitions concerning his behaviour. His preſumption went ſo far as publickly to ſignify to him, that he was too buſy with the concerns of the church, and that his way of beſtowing benefices looked as if he could confer the Holy Ghoſt. An inconſiderate zeal carried him even to reproach Lewis with all the evils and diſorders under which the whole monarchy laboured at that time. On this occaſion was ſeen how very rarely that humility, ſo much recommended to Chriſtians as inhancing the luſtre of their virtues, and that majeſty ſo neceſſary to kings for keeping ſubjects within their duty, meet in the ſame perſon. The religious monarch calmly heard theſe ill-timed remonſtrances, forgetting that when once the reſpect due to

majeſty

majeſty is loſt, revolts ſoon follow. The biſhops indeed made too frequent uſe of ſuch condeſcending indulgences. Some have pretended, that God having appointed them to govern ſinners, they might depoſe even kings themſelves, when refractory to their admonitions.

About ten years after, Pope Gregory IV. ſhewed a like diſpoſition. Lewis's three ſons having rebelled againſt him, met in a plain between Baſle and Straſbourgh, ſince called the *Lying-Field.* The pope, overjoyed at an opportunity of becoming arbiter in an affair which concerned a crown, countenanced ſuch unnatural guilt. He went to the camp of the rebel princes, threatening with the fulminations of the church whoever did not declare againſt the emperor; which intimidated ſome biſhops, otherwiſe men of piety, who were for having Lewis ſubmit to the pope's deciſion. Several others, however, manifeſted an inviolable fidelity to their duty †. They held a meeting, and wrote ſuch a letter to Gregory, that the freedom of it is only to be excuſed by the goodneſs of their cauſe. They lamented that a man of his character ſhould put himſelf at the head of a party, which acted in defiance

† Annal. Fuldeus et Bertin.

Si excommunicaturus ad veniret, excommunicatus abiret, cum aliter ſe haberet antiquorum canonum autoritas. Vita Ludov. Pii. ad. an. 833.

of

of all the laws of nature, honour, and religion. They reminded him of the ſolemn oath which he had taken to the monarch ſince his exaltation. They declared to him, that if he preſumed to excommunicate them, he ſhould himſelf return loaded with the anathemas of the French and Germanic churches. Laſtly, they gave him to underſtand, that things might be carried ſo far as to depoſe him from the pontificate, of which he rendered himſelf unworthy by a behaviour ſo contrary to the holy canons, and the ſpirit of Chriſtianity. This firmneſs ſo ſtruck Gregory, that he was ſorry he had ever concerned himſelf in the buſineſs; but abbot Vala, with ſome other monks who compoſed his court, ſuggeſted to him that the privilege of the principal ſee was an exemption from the judgment of any power on earth. This put him in heart again, that he anſwered the French prelates in very coarſe and imperious terms, affirming that the pontifical authority was ſuperior to the imperial, and openly declared againſt the emperor, as under no other obligation to him, than to reprove him when he departed from his duty. Lewis, in the mean time, got together his troops, and moved towards the princes, in hopes of bringing them to their duty, or to an action. The two armies were in ſight, when the three brothers, by a fineſſe becoming their perfidy, entreated the

the pope to go and negociate their reconciliation. The Emperor, without cauſing any honour to be paid to the pontiff, received him very coldly at the head of his army, taxing him for the irregularity of his proceeding, but eſpecially his preſumption in coming into France, without any previous permiſſion, which none of his predeceſſors had dared. He, however, kept him ſome days in his camp, where they had long conferences without concluding any thing. On the night of the very day when Gregory took leave of him, he had the grief of ſeeing all his troops go over to the camp of Lothario, his eldeſt ſon. He immediately ſent away the few friends who had remained with him, that they might not ſuffer on his account; then taking with him the Empreſs and young prince Charles, he went and delivered himſelf into the hands of his ſons. He was immediately carried to Lothario's tent, and there left with ſome truſty perſons. The Empreſs was given up to the King of Bavaria, who baniſhed her. The heads of the army immediately held their tumultuous aſſembly, declaring Lewis to have forfeited the throne, and that the empire belonged to the eldeſt of his ſons, who was unanimouſly acknowledged Emperor. The King of Aquitain recovered his dominions, with the addition of ſome provinces of Neuſtria. To the kingdom of Bavaria was annexed the

country of the Germans, which was prince Charles's portion. The Pope now perceived that he had been drawn in to act a part quite unbecoming his character, and returned to Rome loaded with ſhame, and pierced with the moſt ſenſible grief, that he had been inſtrumental to ſo deteſtable an action. Lothario ſhut up his unhappy father in the monaſtery of St. Medard, and called a diet at the palace of Compeigne. The enormities of this aſſembly cannot be repeated without horror. Religion was mocked, the majeſty of Kings trampled on, and all the laws of nature openly violated. It was a point of ancient diſcipline, that a man in the actual exerciſe of public penance was excluded from military and civil functions, and even from marriage. Abbon, archbiſhop of Rheims, whom Lewis had raiſed from meanneſs, and who beſides diſgraced his dignity by his licentiouſneſs and cruelty, forgot himſelf ſo far as to pronounce that ſentence on his maſter and benefactor, condemning him to that penalty for ever. One is ſurprized to find ſome eccleſiaſticks of repute for holineſs of life, concurring in this myſtery of iniquity; but Lewis had taken upon himſelf to reform the whole epiſcopal body, and therefore might expect the whole vengeance of the clergy. This good prince was brought into St. Medard's church, where the biſhops and abbots were aſſembled to notify

notify to him the act of his condemnation. There, in a hair ſhirt, kneeling, and holding a paper containing his ſuppoſed crimes, he was obliged to accuſe himſelf of having abuſed the government which God had committed to him; of having cauſed his troops to march in Lent; of having offended the church by his diſobedience to the admonitions of the biſhops; and of having been the cauſe of the war, and of all the evils, confuſions and calamities with which the empire was then overwhelmed *. After this forced confeſſion, he was declared for ever incapable of all civil functions. His imperial robes, his ſword, his belt, were taken off, and the habit of a penitent put on him. He was driven out of the church, and thruſt into a little cell of a monaſtery, there to paſs the remainder of his life in penance. Is this, called out Thegan, archbiſhop of Treves, ſpeaking to the perfidious Abbon †, *Is this, thou wretch of a freed man, thy return for thy ſovereign's bounty? He hath cloathed thee with purple, and thou art for putting a hair ſhirt on him; he has raiſed thee to the epiſcopal ſee, and thou art for tumbling him down from the throne of his fathers. Thou cruel monſter, ſlighteſt thou the voice of heaven, which ſays, The ſlave is not above his*

* Annal. Bertin. Fuld. et Metens.

† Thegan, c. 44.

Lord? Haſt thou impiouſly forgotten the apoſtle's commandment touching the reſpect due to the maſters of the world, Be ſubject to the higher powers, for there is none but what is of God. Theſe were doubtleſs that prelate's real ſentiments, and of many other members in that corrupt aſſembly, but none dared ſpeak, the preſence of Lothario ſtruck them dumb; ſo ſeldom is intereſt poſtponed to duty, and human conſiderations to religion.

It muſt be added, that Lewis the very next year recovered his liberty and dignity, but died in the year 840, of grief and inanition. The only nouriſhment he took for ſix weeks was our Lord's body. Some days before he died, to ſhew that he deſigned the empire for Lothario, he ſent him a crown, a ſword, and a golden ſceptre enriched with gems. Being urged to forgive Lewis of Bavaria, who had recently taken up arms againſt him, he cried out with a ſigh, *Alas! he makes my old age go down to the grave in grief; however I forgive him, but tell him, that God ſeverely puniſhes undutiful children.*

Among the capitularies of this prince is an ordinance regulating what certain convents are to contribute to the wants of the ſtate. The monks were grown ſo rich that the famous Alcuin was reproached with having above twenty thouſand ſlaves; and ſo power-

ful

ful that ſome put themſelves at the head of a party and raiſed troops. The abbots, ſo early as theſe times, carried the paſtoral ſtaff, the mark of the pontifical dignity in Pagan Rome.

Romance and Tudeſque Dialects.

THE Emperor Lothario, after the terrible ſlaughter of his army in the plain of Fontenay, retired to Aix la Chapelle, where many Neuſtrian nobles, deceived by his artifices and ſpecious falſe reports, did him homage, that he was ſoon able to advance to the King of Bavaria's frontiers, deſigning to attack him on his very throne, had he not been hindered by a diverſion of the King of Neuſtria. He immediately leaves Germany, breathing revenge, and bends his march towards Paris, encouraging his army in the moſt terrible deſolations and every act of outrage, till ſtopped by the inundations of the Seine, he was obliged to return. *Anno* 843.

Lothario's ſcheme now was to divide the two Kings, Charles and Lewis; but they, ſenſible that their ſafety depended on their union, confirmed their ancient league by the ſolemnity of an oath, and renewed their

alliance, each in his own language; one in *Romance*, the other in *Tudeſque*. Nithard * gives us this famous treaty in the very words, and it is the more valuable, as being the only inſtrument from which we can gather an idea of that two-fold language uſed under the reigns of which we are now treating; the former, being that of Neuſtria, was a compound of the Celtic and Latin, a jargon entirely like that of the moſt inland parts of Gaſcony and Catalonia. The ſecond, ſpoken by the people of Germany, was a dialect little different from that which is ſtill in uſe among the Frieſlanders. It appears by a canon of the fourth council of Tours, that at the beginning of the ninth century, both theſe languages were common all over France. It enjoins that every biſhop ſhall have homilies for the neceſſary inſtructions of his flock, and that he ſhall take care to tranſlate them plainly in the *Romance* or *Tudeſque* language, that every body may underſtand them.

The two princes, though ſuperior in forces, endeavoured a ſecond time to bring the Emperor to an accommodation; but he diſmiſſed their ambaſſadors, refuſing even to give them audience. This inſult raiſed a general indignation, and the two armies immediately marched againſt him. Lothario

* Nithard, l. c.

retires

retires to Aix la Chapelle, which ſoon appeared no place of ſafety for him. Here he got together the moſt valuable things, not only in the palace, but in its ſuperb baſilic, which Charlemain had ſo magnificently decorated. With this rich plunder, he withdrew towards the Rhone, intending, if purſued, to make for Italy.

The two Kings, uncertain whether they might ſeize on a ſtate given up to them, or whether they ought to reſtore it to a brother, who had quitted it through fear, conſulted the biſhops according to the ſuperſtition of thoſe times. The epiſcopal character was then thought to impart ſuperior knowledge in politics and wars, as in eccleſiaſtical matters. Hence that enormous authority of prelates, who in their deciſions took care to turn every thing to their advantage. All unanimouſly declared Lothario to have forfeited his right to the crown, and his ſubjects to be diſcharged from their oath of fidelity. *Do you promiſe to govern better?* ſaid they to Charles and Lewis. We do promiſe, anſwered the two Kings; and *we*, ſaid the biſhop who acted as preſident, *do, by the divine authority, permit you to reign inſtead of your brother, to govern his kingdom, according to God's will: We exhort you, we command you ſo to do.* This uſurpation was criminal in its principle, dangerous in its

conſequences, and it was weakneſs in the two brothers to ſubmit to it. But this is not the firſt time that paſſion, ſtimulated by ambition, has prevailed over reaſon, though backed by intereſt.

Inroads of the Normans.

ALL the ſeveral nations inhabiting Denmark, Sweden and Norway, were then called Normans, or Men of the North. Theſe barbarians, from a zeal for their falſe gods, and an inſatiable rapacity, were continually making inroads on the territories of the Chriſtians, pillaging, burning, and maſſacring all in their way, eſpecially the prieſts and monks, as leſſening the worſhip of their idols. Charlemain, with grief, foreſaw what France would ſuffer from them. *If in this preſent conjunction of all my power*, ſaid he with a ſigh, *they dare inſult the coaſts of my empire, what will they not do when it comes to be partitioned?* To prevent their devaſtations, he had a prodigious number of ſhips built, and ſtationed from the mouth of the Tiber to the moſt northern parts of Germany. He farther obliged the nobility to ſerve on board them, as in land armies. They had begun their inroads about the year 800, ravaging Frieſland and Saxony, and in the time of Lewis the *Gracious* they returned, and amidſt

amidſt other ravages, burnt Antwerp. The troubles of the empire, after that Prince's deceaſe, again rouſed their avidity. They entered France by the mouth of the Seine, and came up as far as Rouen, which they pillaged. Another fleet of thoſe barbarians, headed by Lambert, ſailed up the Loire, where Nantes underwent the ſame fate as Rouen. From thence they over-ran Anjou, Touraine and Guyenne, laying every thing waſte before them. The monaſteries and churches were eſpecially the objects of their rapine. They uſed to carry away the men for ſlaves, and outraged the females of all claſſes, whom they afterwards divided among them. The greater part of aged men, together with all the prieſts and monks, they put to death, ſparing only the children, whom they brought up like themſelves, to rapine and piracy. Cattle, furniture, apparel, reliquaries, ornaments, conſecrated veſſels, gold, ſilver, every thing was ſwept away, till weary of plundering, they returned home, and went and ſold on one coaſt what they had pillaged on another.

The ſucceſs of their firſt incurſions ſtimulated their courage, that they covered the ſea with ſhips; and now, inſtead of a gang of irregular banditti, they make their appearance in a fleet of ſix hundred ſail, with a King named Eric, and a formidable army.

He

He ſurprized Hamburgh, marched a conſiderable way into Germany, deſolating all places with fire and ſword, and beating the Germans in two great battles; then returning into his dominions with his German ſpoils, ſent one of his captains, whom hiſtory calls Rognier, on an expedition into France. This general ſailed up the Seine with a hundred and twenty barks, pillaged Rouen a ſecond time, and advanced as far as Paris, which being defenceleſs, became a prey to the Barbarians. Charles the Bald, who lay entrenched at St. Denis, to defend the relics, durſt not riſk a battle. The Norman, overloaded with ſpoils, ſent him propoſals, with which his inferiority made it neceſſary to comply. Accordingly the pirates had twelve thouſand pounds weight of ſilver, and all ſwore by their gods; and on their arms, that they would never more return into France, unleſs ſent for. But this purchaſe of peace furniſhed the barbarians with means for renewing the war, and whetted their inclinations. Every year of the reign of Charles the *Bald* was marked by freſh inroads, and many flouriſhing cities ſucceſſively fell victims to their inſatiable fury. They ſeized on the iſle of Oyſſel in the Seine, which they made a place of arms, from whence they carried on their incurſions. The King, however, but chiefly by the aſſiſtance of their countrymen, drove them from

from that poſt, ſo very important to them as opening a paſſage to the very centre of Neuſtria. If they happened to be beaten, they ſoon appeared again with freſh forces, that the monarch, dreading the renewal of their former deſign to ſettle themſelves on the river Seine, clapped up a treaty with them, rather more ignominious than the former. Four thouſand pounds weight of ſilver was given them in hand, with an obligation to pay them a certain ſum for every one of their men who had been knocked on the head by the country people, and to reſtore or pay a ranſom for ſuch of their priſoners as had made their eſcape. A freſh inroad of theſe people into Anjou, determined Charles to execute the deſign which he had long formed of employing all his power to exterminate them out of his dominions; and being aſſiſted by Solomon, duke of Britany, he went and ſurrounded them in Angers, into which they had thrown all their beſt troops. The ſiege was long and bloody, and the Norman barks being all in the river Mayenne, a project was formed for turning aſide the courſe of the river in order to come at them. The barbarians well knowing that the ſucceſs of this undertaking would totally ruin them, immediately demanded a capitulation. They were allowed to withdraw to an iſland in the Loire, of which the poſſeſſion was given them till the following February.

ruary. But when they were to quit it, they equivocated on their oaths, and ſhips being wanting to diſpoſſeſs them, they continued their incurſions for ſome time after.

Freſh attempts of the Biſhops againſt the Crown.

Anno 858. CHARLES the Bald was beſieging Oyſel when, receiving advice of his brother's invaſion, he immediately marched towards him. The two armies were three days in ſight, and ſeveral negotiations paſſed without effect, till at length treachery turned the ſcale, by corrupting the army of the French monarch; and Charles ſeeing himſelf abandoned on all ſides, haſtily fled into Burgundy. He was now irretrievably loſt, had Lewis known how to improve this advantage; but inſtead of purſuing him, he loſt his time in diſtributing donations among the heads of the factious, and iſſuing orders for an aſſembly of all the biſhops in France. He was even prevailed on to diſband part of his army, leſt their exceſſes might expoſe him to the averſion of the people. Charles being informed of what was doing, ſpeedily got his troops together, and by forced marches came within ſight of his brother's camp, when he was thought to lie concealed in Burgundy.

To

To ſhew himſelf, rout the enemy, and recover what he had loſt, proved but one and the ſame thing to him.

This event was followed by an attempt which ſtrongly ſhews the abject ſtate to which the weakneſs of adminiſtration had reduced the throne. The biſhops of France being aſſembled at Metz, deputed to the King of Germany three prelates, who were to declare to him that he had incurred excommunication, on account of the evils and calamities of which he had been the cauſe, by bringing his army into France. It was recommended to him to implore God's forgiveneſs, to confeſs his ſins, to make good the damages, never more to liſten to bad counſels, to deliver up the King's vaſſals who had fled into Germany; laſtly, to reſtore the eccleſiaſtics to their privileges and authority. Abſolution was offered to him on his faithful performance of all theſe conditions, and he was threatned with all the church's anathemas, if he perſiſted in his miſbehaviour. This proceeding appeared the more extraordinary, theſe biſhops having no manner of juriſdiction, temporal or ſpiritual, over Lewis; a freſh proof that the clergy thought themſelves inveſted with a power of determining the affairs of princes, of giving or taking away crowns; but what muſt appear ſtill more ſtrange is the monarch's anſwer,

anſwer, entreating them to forgive him, if he had offended them in any thing, and conſenting to refer the affair to the deciſion of the biſhops of Germany. A ſtate is very near its downfall when the prince at the head of it is reduced to ſuch language. This puſillanimous pliantneſs only hardened them more and more in their haughty pretenſions; and convening a council, they bound themſelves to keep ſtrictly united in *correcting the Kings, the great lords, and the people of the French kingdom, as being under their charge.*

State of the Coinage and Money.

Anno 869. THE calm which France now enjoyed, was improved in making uſeful regulations. The edict of Piſtes is the moſt curious monument remaining concerning the monies of the firſt and ſecond race *. It

* Pharamond is generally placed at the head of the firſt or Merovingian race of the Kings of France; but little being known of him, the preſident Henault begins it with Clovis, as the real founder of the monarchy, A. D. 481. The ſecond or Carlovingian race began in Pepin, A. D. 751, and failed in 987. The third or Capetian race, of which the founder was Hugues Capet, in the year 987; and his deſcendants ſtill ſway the French ſcepter through an uninterrupted ſucceſſion of very near eight hundred years, a proſperity which no other family in the univerſe can boaſt.

acquaints us with the only places which had the privilege of coining under Charles the Bald; it gives us to know, that on the firſt of July, all the counts or governors of thoſe towns were to ſend their viſcounts to Senlis, with their monetarii or coiners, and two reſponſible men having lands within their juriſdiction, each to receive five pounds of ſilver out of the King's private treaſury, together with a weight, and thus begin to make good monies. The ſmallneſs of the ſum will unqueſtionably be thought ſtrange in an age when Kings, and even private perſons reckon only by millions; but a few ſhort and plain reflections will remove the amazement.

Pecuniary payment was not the only payment uſed under our firſt Kings. The gold and ſilver received from the people was refined and kept in bullion in the prince's treaſury, where it was iſſued by weight. This cuſtom was of Roman origin, and obſerved even by private perſons, till the reign of Philip the Handſome. Nothing more common in the inſtruments of thoſe times than payments and fines of pounds and marks of gold and ſilver, ſo that money was wanting only for retail trade; and that was the reaſon of ſo little being coined; as this makes any pieces of the firſt, ſecond, and beginning of the third race, to be eſteemed as valuable curioſities; ſo that theſe particulars being known,

known, the above mentioned order affords not the leaſt cauſe of ſurprize. It even appears from ſeveral monuments and accounts that there was then in France very nearly as much money as at preſent. The deception lies in eſtimating the worth of the ancient money, by that which we have been pleaſed to ſet on ours. We wonder at a council of Toulouſe, rating at only two *ſols* a meaſure of three buſhels of wheat, the ſame of barley, a meaſure of wine and a lamb, which was the contribution due from every prieſt to his biſhop; and that ſeemingly petty ſum the biſhops received as a *modus*. What a wonder at twenty-four pounds of bread ſelling for no more than a ſingle *denier* in Charlemain's reign! but that *ſol* was very different from ours, and that *denier* would, according to our reckoning, be now equal to thirty ſols. The price of bread, therefore, was at about five *liards*, which is pretty near the preſent common price in good years.

Thus, whenever our ancient hiſtory ſpeaks of money under any name whatever, our firſt care muſt be to look into the value of it at that time, that we may form an eſtimate of it comparatively with ours. To begin with the moſt valuable. Nothing is ſo common under the firſt race as the gold *ſol*, half *ſol*, and third of a *ſol*. This *ſol*, which was worth

worth forty ſilver *deniers*, was of fine gold, and weighed 85 grains one third, and would, at this time (1754) be worth about 15 livres. Some pretend that the ſilver ſol was only a numerary piece, while others maintain it to have been real money. If ſo, it muſt have weighed, towards the cloſe of Charlemaine's reign, 345 grains, which, in our times, would exceed a crown. However that be, no traces of it are to be met with, not even in the collections of the curious; but this want is, in ſome meaſure, made up by the many ſilver deniers, and even *oboli*, coined under Pepin's deſcendants. Theſe deniers, under the Merovingians, weighed about 21 grains; under the Carlovingians 28, and ſometimes 32; and under the firſt Capetians, between 23 and 24. Their intrinſic value may be judged of by that of the ſilver *ſol*, of which they were a twelfth. In reading the hiſtory of thoſe times, we are eſpecially to bear in mind, that, beſides the real gold and ſilver ſpecies, they had fictitious and imaginary money, for the more eaſy calculation, and the convenience of trade: as our numerary or account *livre* or pound, which conſiſts of 20 *ſols*, and each of theſe diviſible into 12 *deniers*; yet have we no piece preciſely of that value. It was the ſame with the *livre* or pound of our anceſtors, the only difference being in the impreſſion. The numerary *livre* or pound, under

the firſt and ſecond race, was reputed to be the real weight of a pound troy, or of twelve ounces, the only one uſed in France for weighing gold and ſilver. It appears from our annals, that under Pepin, 22 ſilver *ſols* were cut on this pound weight of ſilver. Charlemaine's conqueſts having introduced no great plenty of this metal, he ordered the mark ſhould be reduced to 20 *ſols*; and thus the *ſol* was exactly the twentieth part of 12 ounces. Such is the real origin of the word *livre* (pound) ſtill uſed in France, though now only as denoting 20 copper ſols.

An acquaintance with theſe changes, little leſs frequent than thoſe of our faſhions, is eſpecially neceſſary for underſtanding the valuations of our old coins with regard to the preſent. The eight-ounce ſilver mark has, for a long time, been worth 49 *livres*. The livre, which in Charlemain's time was the repreſentative ſign of 12 ounces, would be, in our time, worth 73 livres 10 ſols: the worth of a *ſol*, which was the twentieth part of a *livre*, would be 3 *livres*, 13 *ſols*, 6 *deniers*; that, ſuppoſing a city to have borrowed 150 livres in that Emperor's reign, if obliged to pay at the ſame intrinſic value, would be indebted near 460 *louis d'ors* of our money. A monaſtery, to which that prince had granted a perpetual penſion of 400

livres, on the royal treaſury, would now, if paid according to the foundation, have an annual income of 29,400 livres. This computation ſhews, that of all the European monies, *the Engliſh pound ſterling has deviated the leaſt from the primitive ſtandard.*

Coinage is allowed to be a regality; and if any private nobles enjoyed that privilege, it was by grant, and always on condition of putting the monarch's buſto or name on the coin. Moſt of our ancient coins bear the King's effigy, ſometimes with a plain diadem, or two rows of pearls; ſometimes with a kind of radial crown; ſometimes with a helmet embelliſhed with gems; ſometimes with only a laurel wreath. The reverſe is generally a ſingle or double croſs, between an Alpha and Omega, denoting the name of Jeſus Chriſt, as the beginning and the end of all things. Sometimes it is a two-handled chalice, an angel, a ſaint, a church, a ſhip, ſome inſtruments, ſome unknown characters, or the name of the city where the money was coined. On one of Childebert's gold *ſols* is the figure of a dragon couchant before a little croſs. The legend was either the mint-maſter's, or the prince's name, and often his epithet. Theodebert is the only one who aſſumed on his coin the title of *Dominus noſter*, which belonged to the Emperors alone. Charlemain was the firſt who

made uſe of theſe words, *Gratia Dei Rex.* The coins of Lewis *the Gracious* have theſe remarkable words, *Munus Divinum.* The edict of *Piſtes* orders the monogramme of the King's name to be put on one ſide of every coin, and on the other a croſs, with the name of the town where coined. The monogramme was a cypher, or mark of one or more letters interlaced, which ſerved for a mark, ſeal, and coat of arms. It was frequently uſed under the Carlovingian princes, and is ſaid to have ariſen from the want of knowing how to write. Eginard tells us, that Charlemain, after fruitleſly trying to learn it, was obliged to uſe a monogramme, as eaſily made. From the ſame cauſe, many biſhops of thoſe times were under a neceſſity of uſing it, inſtead of their proper names. The maſters of the mints were now diſpenſed from putting their names on the coins, which had been required of them, probably that if a piece proved light, it might be known whom to apply to; and when convicted of malverſation, they forfeited their right hand.

Pre-

Preſumption of the Popes, and Weakneſs of Charles II.

CHARLES II. receiving advice of the deceaſe of *Anno* 875. the Emperor Lewis II. immediately aſſembles his troops, and penetrated into Italy by the way of Mount Cenis, where a great part of the nobility of the country joined him. The King of Germany, alarmed at this celerity, ſent an army againſt him, but of unequal force, that it was ſoon driven back beyond the Alps. Carloman enters Italy a ſecond time with freſh troops, and now reduced his uncle to have recourſe to a negociation, in which Charles, by means of the moſt ſacred oaths and ſumptuous preſents ſo impoſed on him, that he croſſed the mountains a ſecond time, and returned to Bavaria.

Charles, thus freed from the only obſtacle of his grandeur, marched directly for Rome, where he found an univerſal inclination to confer the imperial crown on him; and Chriſtmas-day was appointed for the ceremony: but he is ſaid to have purchaſed this honour very dearly; reſigning that ſovereignty which Charlemain had reſerved over the provinces of which he had given the uſufruct to the Roman church; his right

of preſiding at the election of the ſupreme Pontiff; and laſtly, that exempting him from the oath of fidelity: though all other hiſtorians are ſilent as to any ſuch ignominious conceſſions. One thing, however, is certain, that the holy father, availing himſelf of the circumſtance, beſtowed the empire as a ſovereign, and Charles received it as a vaſſal. *We have judged him worthy of the imperial ſceptre*, ſays the Pope: *We have raiſed him to the dignity and the power of the empire, and have inveſted him with the title of Auguſtus* *. Such is the real epocha of the authority which the Roman Pontiffs afterwards aſſumed in the election of the Emperors.

Siege of Paris by the Normans.

Anno 885. LEWIS III. had, in the year 884, found himſelf obliged to ranſom his country from the pillage of the Normans, by complying with their demand of twelve thouſand pounds; which in thoſe times was a prodigious ſum; but now their avidity was inflamed by the perfidious murder of one of their chief princes, at a conference. They exerted themſelves to the utmoſt in revenge

* Apud Labbeum, tom. ix. p. 295.

of

of it. Sigefroy, a leader of great diſtinction among them, got together all thoſe of his nation, who were diſperſed in ſeveral parts of the monarchy, and with an army of forty thouſand men, came and laid ſiege to Paris. It was then only an iſlet and what is now called *la cité*, with two wooden bridges, each defended by a large tower. The barbarians preſſed the ſiege with the moſt vigorous courage, and not without ſkill *. Baliſtæ (*a*), Vineæ (*b*), the Rams (*c*), Bur-

* Chron. de Geſt. Norman.

(*a*) The Baliſta was a military machine, in ſome parts like a croſs-bow, for throwing large ſtones, arrows, and fire-works, into beſieged places. It differed from the Catapulta, this being only for throwing javelins and darts.

(*b*) The Vinea, or Mantelet, was a ſlight timber ſtructure, ſeven feet high, eight broad, and ſixteen in length, with a double roof of boards and hurdles, and over theſe raw hides, as fences againſt fire. The ſides were ſecured by an interlaced work of oſiers, which no ſtones or arrows could penetrate. Several of theſe machines being joined together in front, the beſiegers made their approaches under them to the feet of the walls, for ſapping them.

(*c*) The Ram was a large beam, one of the ends fortified with iron, ſomething in the ſhape of a Ram's head. It was ſuſpended by large chains to timbers, and required a hundred men to ſet it in motion, and drive it againſt the walls.

ners (*d*), towers (*e*), aggers or terraſſes (*f*); in a word, every machine uſed at that time for the deſtruction of cities, was ſo ſucceſsfully employed, that they made a breach. This was followed by three furious aſſaults, which the Pariſians ſuſtained with unſhaken courage. Hiſtory takes particular notice of a huge beam with an iron point, which being put in play, fell with ſuch force on the galleries, that breaking down the roofs, the enemy became expoſed to the beſieged, who plyed them with large ſtones, arrows, melted pitch and boiling oil. Eudes, Count of Paris, whom his great endowments afterwards raiſed to the throne of France, ſupplied, by his admirable diſpoſitions, the want of baſtions and outworks. Goſlin the biſhop, beſides his fervent exhortations, encouraged the people by his active intrepidity,

(*d*) The *burner* was either a boat loaded with combuſtibles, and ſet on fire before it was let go againſt the enemy; or an engine for throwing fiery darts.

(*e*) The towers were large and ſtrong buildings of beams, and carefully covered with raw hides againſt fire. They ſtood on wheels, for the conveniency of moving them, and had ſeveral ſtages communicating by ladders; and in them were likewiſe machines for taking towns, as the ram, &c.

(*f*) The *agger* was a terraſs of earth and wood, raiſed againſt the walls for throwing darts and other miſſive weapons into the place.

being

being more than once ſeen on the breach with helmet, quiver, and a battle-axe, fighting near a croſs which he had ſet up on the rampart. He was ſeconded by ſeveral valiant knights, who performed aſtoniſhing actions. Never was ſeen a more furious attack, nor a more vigorous defence. The Pariſians, during the ſiege, which laſted a year and a half, endured all the horrors and miſeries of famine and contagion. Charles III. appeared, indeed, in ſight of Paris, but durſt not attempt a relief, as if he came only to purchaſe a ſecond truce; and accordingly the Normans agreed to break up the ſiege, in conſideration of ſeven hundred pounds weight of ſilver to be paid within ſome months; and by way of amends for this delay, they were allowed to go and winter in Burgundy, where, as uſual, they committed dreadful ravages.

Remarkable decree of a council. A hare proves the occaſion of taking Rome.

ARNOLD held a council at Tribur, near the Rhine. *Anno* 896. Among other of its decrees, the third is eſpecially remarkable: *That the church of Rome is to be honoured as that from which is derived the prieſthood; and whatever yoke it impoſes is to be patiently endured, even tho'*

it ſhould be ſcarce ſupportable. Having received private invitations from Rome to deliver it from the tyranny of the new emperor, with an offer of its crown, he croſſed the Alps, and arrived at the gates of Rome, but his troops ſo ſpent, that he was at a loſs how to proceed. The generals were for allowing them ſome days for refreſhment, but the ſoldiers called out that a ſtorm would refreſh them. During this ſuſpenſe, a hare ſtarting in the camp, took towards the city *, and the ſoldiery tumultuouſly running after it with ſhouts and outcries, the Romans were ſo frighted that they left their poſts, and the Germans taking advantage of their panic, ſcaled the walls, broke open the gates, and carried the city. The pope, now at liberty, thoſe who kept him priſoner being fled, received the king of Germany on the ſteps of St. Peter's church, and led him towards *the Apoſtles confeſſion*, where he crowned him Emperor, Cæſar, and Auguſtus. But in the new oath of allegiance, which the pope cauſed the Romans to take to Arnold, was a clauſe unknown to the firſt French emperors. It ran thus: *I ſwear by all the holy myſteries, that, ſaving my honour, my duty, and the fidelity which I owe to my lord, Pope Formoſa, I am, and will be during life, faithful to the Emperor Arnold.*

* Luitprand, l. 1. c. 8.

Ambition

Ambition of the Nobility. Feats of Rollo the Dane, and diſmemberment of Normandy and Britany.

CHARLES IV. being unanimouſly acknowledged in Neuſtria, Burgundy, and Aquitain, great advantages were to be expected from this union, had the prince been better obeyed; but the lords, for the increaſe of their power in the domains which they had uſurped, carried their preſumption to the moſt flagrant enormities. Every one was for being independant, and taking up arms or laying them aſide at their pleaſure, the monarch in the mean time not daring to interfere, that the reign of this prince may be looked on as the epocha of all thoſe petty ſovereignties which have inſenſibly grown up in the ſtate. They were at firſt only governments held for life, as the due rewards of diſtinguiſhed ſervices. Every Frenchman, without regard to birth, had a right to them. The perſons who held them were called either *pairs*, as being all equal; or princes, as chiefs and commanders throughout their diſtrict; or barons, as the leading and moſt powerful men of the kingdom. This laſt title was then of ſuch dignity and importance, that the *Sire* de Bourbon relinquiſhed the title of *Prince* to bear that of *Baron*. *Anno* 898 *to* 912.

Baron. Theſe great poſts at length became properties or hereditary fiefs, apparently ſubordinate to a lord paramount, but in reality quite independent. To this new ſeignory or lordſhip, nobility, till then unknown in France, owes its real origin. It gave to thoſe petty princes a ſort of ſubjects called vaſſals, who likewiſe affected the ſovereign by *ſub-infeoffments*. He who had made himſelf maſter only of ſome country town, did homage to him who ſwayed a province; and he whoſe entire domain was only a caſtle or ſeat, held of him who had ſeized on a town. The vaſſal, on ſome occaſions, was to take up arms and march againſt the king himſelf, or he forfeited his fief.

Such was the ſtate of France when attacked by Rollo, one of the moſt illuſtrious chiefs of the Normans, and whom a thouſand fine qualities both of mind and heart, with the gracefulneſs of his perſon, raiſed above the epithet of barbarian. Having been obliged to leave Denmark, he got together a numerous corps of adventurers, with whom he croſſed over into England, where he gained two ſignal victories; then putting to ſea again, makes a deſcent in Frieſland, which he compelled to pay a tribute. Afterwards ſailing towards France, he ſeized on Rouen, and repaired its walls and towers, to ſerve him as a place of arms;

from

from whence he uſed to ſally out, ſometimes into England, ſometimes into France. Here, irritated by his miſcarriage at the ſiege of Chartres, his ravages and cruelties were ſuch, that deputies came from all parts, petitioning the king to purchaſe peace at any rate. Rollo inſiſted on all that ſea coaſt which he had ſo often ravaged, and there was no denying him. Thus that part of Neuſtria, which ſoon came to be called Normandy from the name of its uſurpers, became a ſeparate ſtate dependant on the crown only by an empty form of homage; and Britany, once a kingdom, ſunk into an arriere-fief.

When Rollo, purſuant to this treaty, came to take the oath of fidelity to the king, it was with extreme difficulty that he could be brought to the uſual ceremony of putting his hands between thoſe of the king. But when his kneeling down before the monarch and kiſſing his foot, was mentioned, the choleric Dane ſwore that he would not ſtoop to any man living. At length he was prevailed on to allow that one of his officers ſhould go through this ceremony for him; but the proxy, whether from aukwardneſs or inſolence, took hold of the king's foot, and lifted it up ſo high as to throw him backwards. This accident had like to have been

of

of ill conſequence; but Charles recollecting his weakneſs, prudently turned it into a laugh.

The new duke, after ſome inſtruction in our holy myſteries, was baptized in the cathedral of Rouen, now the capital of his dominions. It is obſerved on this occaſion, that the Normans, though ſuch enemies to the Chriſtian name, never offered at compelling any one to renounce Chriſtianity. The only blots in duke Rollo or Robert's character were, that his conſort Giſela, daughter to Charles IV. pined to death for his ill treatment of her; and his beheading two perſons of note, whom the king had ſent with a remonſtrance againſt ſuch ungenerous behaviour. As for his ſubjects, them he governed with the moſt exemplary wiſdom and goodneſs; and ſo effectually ſuppreſſed all rapine and violence, that, under his government, a pair of gold bracelets hung on an oak during three years, without any one offering to touch them. It is well known, that for a long time after his death, the bare calling out his name implied an order for the magiſtrates to haſten and quell ſome diſturbance. This gave riſe to the cry *Haro* in Normandy, a word derived from *ha* and *Raoul*, as calling out for that prince's aſſiſtance. Such was the foundation of that renowned Norman colony, whoſe blood,

mingled

mingled with that of the Franks, gave kings to England and Sicily.

Firſt league between France and England.

THE confederate princes marching their forces towards the king's territories, Lewis IV. advanced to meet them, having with him ſeveral biſhops, whoſe arms at that time being more powerful than any military force, engines and weapons, threw the enemies into confuſion. Theſe redoubted prelates notified to the duke of Normandy, and the count de Vermandois, their two leaders, that they excommunicated them; the former for burning ſome villages in Flanders, and the latter for ſeizing on ſome lands belonging to an abbey. *An.* 937, 939.

The rebels, terrified at this meſſage, were at a total ſtand. The laws of honour, which have ever been ſacred, the awfulneſs of an oath the ſtrongeſt tie of ſociety, a regard to duty and juſtice, no conſideration whatever had been of weight to reſtrain them from taking up arms againſt their ſovereign. And now the dread of an excommunication perhaps, weakly grounded, checks them in the beginning of their career. A truce was agreed on for ſome months; during which Lewis, purſuant to the petition of the Lorrainers,

rainers, who had made him an offer of their crown, marched towards Verdun, where ſome biſhops did him homage. An Engliſh fleet, at the ſame time, made its appearance on the coaſt of Flanders, to ſupport the maritime towns of the kingdom of Lorraine, which had opened their gates to the king. It is obſerved, that the reign of Lewis IV. affords the firſt inſtance of an offenſive and defenſive league between France and England *. Till that time, the two kingdoms had looked on each other as two ſeparate worlds, neither friends nor enemies, and without any other connection or relation than that of trade.

Origin of Surnames.

Anno 986. FROM theſe times of anarchy, tyranny, and confuſion, may be dated that cuſtom which afterwards became ſo common among ſuch nobles, who were neither counts nor dukes, of taking ſurnames from their eſtates and ſeats. We find, in peruſing our ancient authors, that formerly every one had only his peculiar name. Under the ſecond race, by way of a more particular diſtinction, was added ſome epithet taken from dignity,

* Luitprand, l. 4. c. 14.

ſtrength,

ſtrength, complexion, or ſome perſonal quality; as Hugues *l'Abbé* the *abbot*, Robert *le Fort* the *ſtrong*, Hugues le *Blanc* the *white*, Hugues *Capet*, who is ſaid to have been ſo called from the Latin word *capito*, literally ſignifying a large head, and figuratively a good head-piece. Some, however, will have this ſurname to have been given him from a kind of hat or hood which he firſt brought up.

However it be, ſurnames then became general. The nobles aſſumed them from their fiefs or lordſhips: The commoner took his either from the place where he was born, as *Picard*, *Norman*; or from his trade, *le Charron*, wain-wright, *le Meuſnier*, miller, or from ſome banter, as le Roi, king; le Prince, prince; l'Eveque, biſhop; or from ſome natural defects, as L'Eſcaché, *flat-faced*, le Campus, *hunch backed*, le Boſſu, *flat-noſed*.

Such was the ſituation of France when the ſcepter paſſed from Charlemain's family into the auguſt houſe now reigning. It found all theſe dukes and all theſe counts in the eſtabliſhed cuſtom, not only of tranſmitting their principalities to their deſcendants, but even of having vaſſals under immediate homage. The crown allowed them in the quiet enjoyment of their uſurpations, without taking any meaſures for conteſting

 their

their prerogatives. Nothing better proves what little authority the Sovereign had in thoſe turbulent times, than the anſwer of Count Aldebert to Hugues Capet and his ſon Robert. That lord was then beſieging the city of Tours. *The King*, ſays an ancient author, *durſt not go about to hinder him with a ſtrong hand, but only ſent a meſſage, aſking him who had made him a count? And who made them Kings?* anſwered Aldebert, with a contemptuous coldneſs; and continuing the ſiege, made himſelf maſter of the place.

This paſſage alone may confound the ignorance or adulation of ſome modern writers, advancing that all the ſubjects of the monarchy hold their poſſeſſions in their ſeveral degrees, from the liberality of our Kings. Inſtead of demonſtrating the abſurdity of ſuch an opinion, ſo contrary to all hiſtory, I ſhall only obſerve, that it is but an indifferent compliment to princes, who from their heart deteſt the tyrannical maxims of Mahometaniſm. It has always been the perſuaſion of our monarchs, that the poſſeſſions of the French are as free as their perſons, and they have ever conſidered themſelves only as the protectors of them.

The firſt Watch with a Balance. Introduction of Arabic Cyphers.

THE ſee of Reims being vacant, the clergy choſe for their archbiſhop, Gerbert, who had formerly been a monk, and afterwards preceptor to the Emperor Otho III. and Robert the King's ſon. He was accounted a perſon of very great attainments. Some of his mathematical performances were looked on as enchantments, and the people ſtrongly ſuſpected him of being a magician. *Anno* 992.

To him is commonly attributed the firſt watch moving by a balance-wheel; and it was uſed till towards the middle of the ſeventeenth century, when Mr. Huygens is ſaid to have invented the pendulum † clock.

It was he likewiſe, who is thought to have firſt brought into France the Arabic or Indian cyphers, uſed in arithmetic, algebra, trigonometry and aſtronomy. The Arabs indeed acknowledge to have received thoſe characters from the Indians, and actually call them *Indian figures*. Gerbert might have learned that manner of calculating during his reſidence in Spain, where he con-

† Huygens de Horol. oſcillat.

verſed with the moſt profound literati among the Moors or Saracens. Some however affirm, that Planudes, who lived towards the cloſe of the thirteenth century, is the firſt Chriſtian who made uſe of that cypher, till then unknown in our climates.

The firſt Canonization.

Anno 991. THE Pope, though apparently overlooking the depoſition of Arnoul, archbiſhop of Reims, was highly offended that the French biſhops ſhould have gone ſuch a length. He was then holding a council at Rome, where Udalric, biſhop of Auſburg was canonized. His life and his miracles, with the atteſtations being read, the council decreed that his memory ſhould be revered, declaring that the honour paid to Saints returns to the author of their ſanctity. This, according to P. Mabillon, is the firſt authentick act of canonization. It formerly conſiſted in entering the Saints name in the ſacred diptics, erecting churches or oratories under his invocation, with altars for offering the holy ſacrifice; and laſtly in removing his body out of the firſt grave. So far was the Pope from having an excluſive right of canonizations, that all churches and all biſhops were, on this head, inveſted with an equal right.

Inſtances are not wanting of canonization, even by abbots. Thus Saint Viborada, who was murdered by barbarians, having performed ſome miracles at her tomb, abbot Engilbert, after holding a chaptre with his monks, ordered her office to be drawn up, and her maſs to be ſaid, as of a virgin. When canonization became the peculiar prerogative of the holy ſee is not known. Some hold Alexander III. to be the author of that reſervation. P. Mabillon fixes its epocha in the tenth century, and the Jeſuits of Antwerp bring it down to the eleventh. The ſovereign pontiff made uſe of the ſetting of the council, to have the depoſition of Arnoul and Gerbert's ordination declared void. The latter maintained that the Pope's proceeding ſtruck at the rights of the kingdom, the epiſcopal dignity, and the very crown itſelf. " If the biſhop of Rome, ſays he, " offends againſt his brother, and after " ſeveral admonitions, does not obey the " church, he is to be looked on as a pub- " lican. The higher the rank, the more " dangerous the fall. It is not to the " biſhops that St. Gregory's words are to be " applied, that it behoves the flock to fear " the ſentence of the ſhepherd, whether " juſt or unjuſt, for the people, and not the " biſhops, are the flock. No handle " ſhould be given to our enemies to ſay, " that the prieſthood, which is one through-

" out the whole church, is ſo far ſubject to " one ſingle perſon, that whether corrupted " and warped aſide by money, favour, fear " or ignorance, no body can be a biſhop " without making his party good with him " by the like means. The common law of " the church is the ſcripture and ſuch de- " crees of the holy ſee as are agreeable to " thoſe rules *." And when ſome biſhops came to Gerbert in the name of the Roman envoy, with an order that he ſhould abſtain from eccleſiaſtical functions till farther notice; the prelate made anſwer, " That " neither biſhop, patriarch, nor Pope, had " any right to prohibit a Catholic from the " uſe of holy things, unleſs convicted of " ſome crime, which was not his caſe; and " that he would never be prevailed on to " condemn himſelf by abſtaining from the " holy myſteries." The reſult was that Gerbert kept his archbiſhopric.

Origin of the word Pair or Peer.

THE term *peer* has been known from the beginning of the monarchy. It comes from the Latin word *par*, equal, or brother: It was uſed in the latter ſenſe only under the firſt and ſecond race. The kings,

‡ Tom. ix. conc. p. 744. poſt. conc. Rhem. p. 146.

who

who were ſons to Lewis the gracious, called themſelves *pairs*, in their treaty of partition. So early as the time of Charlemain, Godegrand, biſhop of Metz, gives this appellation to ſome biſhops and abbots. Dagobert, above a century before, had given it to monks. Lewis the *gracious*, in one of his ordinances, forbids ſoldiers forcing their pairs to drink †: *ut in hoſte nemo Parem ſuum bibere cogat.*

The perſons properly called *Pairs* were vaſſals immediately holding from the ſame lordſhip; not that they were equal to their feudal lord, but becauſe they were pairs among one another, holding their fiefs from the ſame perſon, in the ſame manner, and under the ſame obligation of paying homage, ſerving the lord in his wars, making their appearance at any ſolemnities relating to him; laſtly, to aſſiſt him in the adminiſtration of juſtice; for *pairs* were judges throughout the whole extent of the lordſhip, of which their peerdom was a dependence. No ſentence could be paſſed without two at leaſt, and their chief as preſident. The law excluded them from any vote in cauſes where they were parties: the like excluſion was moved for againſt the King, but he maintained his privilege of trying the very cauſes

† Capital. Ludov. Pii. l. 4. art. 77.

in which he was concerned; becauſe in defending his rights, he defended thoſe of the crown.

All *pairs*, however, were not on a level; thoſe of the King, who did homage immediately to the crown, were greater nobles than thoſe of the Count de Champagne, as being only its arriere vaſſals. The latter, as excluded from the national parliament, had no ſeats among the lords of the kingdom; whereas the former had cognizance of all queſtions relating to the ſtate, compoſed what was called the court of France, the King's court, or by way of more honorary diſtinction, the court of *Pairs*.

The number of theſe was not fixed, nor limited only to dukes and counts; all barons holding immediately of the King were equally *pairs* of France. Accordingly the hiſtory of St. Lewis tells us, that having made a regulation relative to the Jews; it was ratified and approved by the barons and the *pairs*, who ſigned it promiſcuouſly, which ſeems to prove that the precedence of the *twelve pairs* was not then thoroughly ſettled. It is not till towards the fourteenth century, that the feudal dignity of baron began to be looked on as leſs than that of duke or count.

The

The appellation of *pair* was not originally a name of dignity, and in no ancient act are dukes or counts found to diſtinguiſh themſelves by that title. It is but ſince the reduction of the peerage to twelve that they have taken it; but as for the epocha of this reformation, it is the very point in our hiſtory the moſt obſcure and moſt controverted. Du Tillet attributes it to Lewis the younger, at the coronation of Philip Auguſtus his ſon. That prince, ſays he, for the better conducting the ſuperb ceremony, and at the ſame time to enhance its ſplendor, choſe, among the great number of prelates and nobles who were immediately vaſſals to the crown, the twelve which have ever ſince been diſtinguiſhed for that honourable function; and by virtue of the bare title of their peerage, have always enjoyed a right of being preſent both in the parliament and council-chamber, at the King's beds of juſtice, and all other ſtate ceremonies.

State of Trade and Sciences under Hugh Capet.

FRANCE, being thus diſmembered under Hugh Capet, was languiſhing in poverty and barbariſm. Greece and Italy had fine manufactures, which it was impoſſible for *Anno* 995.

for France to rival or imitate in a ſtate full of diſſentions, and towns without privileges. There was little or no trade even among neighbouring parts. The ſtory of an abbot of Cluni is well known, who, being ſollicited to bring ſome religious to Saint Maur des Foſſes, excuſed himſelf from undertaking ſo great a journey, in a foreign and unknown country. Such was the ignorance of theſe times, that, ſo far from writing, very few could read. The only claims of poſſeſſion were cuſtom, and tradition the only marriage regiſter, which often occaſioned marrying in a prohibited degree, and this gave riſe to very ſcandalous divorces and ſeparations. The Clercs, or eccleſiaſticks, availed themſelves of this circumſtance to their own aggrandizement: being the only men of letters, they, ſays Paſquier *, *got into their hands the keys both of religion and literature; and to ſay the truth, it was a burden which they alone could bear, our nobility not in the leaſt minding ſo praiſe-worthy a ſubject. Now from this rude ignorance of old times, it came to paſs that they gave ſeveral meanings to the word Clerc, which, in its downright and common ſignification, belongs to eccleſiaſticks; and as there was none but they who made any profeſſion of literature, ſo by a metaphor they*

* Recherches de la France, tom. 1. l. 8. ch. 13. p. 786.

gave

gave the name of Grand Clerc *to a learned man.* Mauclerc *denoted a dunce*; clergie, *learning, and from thence we forged the French proverb,* parler Latin devant les Clercs, *talk Latin before clergymen, which the Romans expreſſed by this adage,* ſus Minervam.

Manichees.

ABOUT the ſame time came to light a hereſy *Anno* 1017. which was very near a-kin to that of the Manichees. An Italian woman introduced it into France, and two French prieſts, one of whom was confeſſor to the Queen, as heads of party under this devotee, left no ſtone unturned to propagate the ſect. Theſe hereticks denied all the myſteries of religion, rejected the ſacraments, exploded marriage, ridiculed all the Moſaic accounts concerning the creation of the world, which they aſſerted to be eternal, diſbelieved all rewards for good works, or puniſhments for the moſt criminal debauchery. They uſed to meet on certain nights, when they ſaid over a kind of litany in honour of bad angels, calling on them till they ſaw a demon come down in the middle of them in the ſhape of a little beaſt; then putting out the lights, every

every one laid hold of the firſt woman that came to hand †.

Theſe abominations being proved on them at a council convened on this unhappy occaſion, they were all condemned to be burnt. They walked to the place of execution even with an appearance of gladneſs, but on feeling the flames, they all, as it were with one voice, began to cry out that they had been deceived: there was no ſaving them, and on their bodies being conſumed, their aſhes were thrown in the air. The King was very much blamed for being at the execution, and the Queen ſtill more for thruſting out one of her confeſſor's eyes with a little ſtick which ſhe had in her hand. It was then an univerſal faſhion among the ladies of high rank to uſe canes, with the figure of ſome bird on the head.

Languedoc was likewiſe the ſcene of many ſuch executions. This deteſtable hereſy being found to have made ſome progreſs in the city of Arras, the biſhop cauſed thoſe miſcreants to be apprehended; but inſtead of terrifying them by threats, he laid open their errors to them with ſuch pathetic tenderneſs, that they burſt into tears, threw themſelves at his feet, entreating that they might be received again

† Anon. Tom. 2. ſpicil.

as real converts. *So true it is, that truth is not promoted by tortures. Violence irritates minds, lenity overcomes them.*

The Crown of France ever hereditary in the Houſe now reigning, but at the ſame time elective with regard to the Princes of the Blood.

THOUGH the firſt Kings of the Capetian race aſſociated their eldeſt ſons, we are not to conclude that the crown was elective among the great men, or that it neceſſarily appertained to the eldeſt of the royal family. This would be a double miſtake. The throne under the firſt race remained conſtantly hereditary in the family of Meroveus, and all the princes his deſcendants ſucceeded uninterruptedly for the ſpace of three hundred years †. Brothers indeed have ſometimes made an equal partition of the monarchy; ſometimes one reigns alone to the injury of the others; and ſometimes a prince of a diſtant branch, is preferred to the children of the deceaſed monarch. But this proves no more than that the crown, however elective with reſpect to the ſeveral princes of the blood, was ever hereditary in the reigning family.

† Mem. de Litterat. tom. 4. p. 672.

The

The like cuſtom and like form of government occurs under the ſecond race. *Such is the cuſtom of the French nation*, ſays Foulques archbiſhop of Reims, in a letter to the emperor Arnould, *that on the King's demiſe, the independent great men ſhall chooſe a prince of the royal lineage to ſucceed.* Robert and Rodolphus ſeizing on the throne, is no more a precedent than Gondebaud's being lifted upon a ſhield during the firſt race. The ſtorm ſoon blew over. Lewis d'Outremer was recalled from England, and *all the great men*, ſays a cotemporary author, *elected him to reign over them, as having an hereditary right to the crown*; a ſeeming paradox, but cleared up by the double right, which our princes equally derived from their royal birth, and the nations choice.

The hiſtory of the aſſociation of Henry I. proves that, at the commencement of the third race, the monarchy was ſtill governed by the ſame ſpirit, and the ſame maxims; hereditary right appeared inconteſtably eſtabliſhed in the houſe to which the crown had laſt eſcheated. Thus it was evidently the kingdom's general law and invariable cuſtom, even from its origin.

Election, however, always took place; but, as under the two firſt races limited among the king's ſons. Some reflections on what

what paſſed relating to the coronation of Henry the Firſt, will ſet this truth in a clearer light. *The King*, ſays Glaber, *after the death of prince Hugues, began to conſider which of his three remaining ſons would be moſt capable of ſucceeding to the kingdom*; now, ſuch a deliberation was manifeſtly needleſs, had the throne, by abſolute right, devolved to the eldeſt of the reigning line. The Queen, ſays another author of theſe times, perceiving the King's predilection for young Henry, deſired, *that at leaſt nothing ſhould be decided in that great affair during Robert's life*, flattering herſelf, that after the King's death, her intereſt would be ſuperior to that of this favourite ſon, whom ſhe made it her buſineſs to repreſent as weak and malignant, cowardly and voluptuous. But how could ſhe entertain any ſuch hopes, if the law of the kingdom neceſſarily directed the electors to vote for the eldeſt of the royal family? Prince Henry's party, however, prevailed, continues Glaber, *and the King's choice, ſeconded by the concurrence of the great men, placed him on the throne of France.* This paſſage ſolves all the difficulties concerning the inheritance in the reigning family; ſhewing, on one hand, that the ſucceſſion, though always hereditary, did not exclude a right of election; and on the other, that this right of election was not pinned down to the perſon of the

eldeſt; but that the nation had reſerved to itſelf a right of chooſing from among the children of the late King, him who ſeemed beſt qualified for government, without regard to primogeniture.

It was not therefore to fix the crown in their houſe, but to avoid the variances and tumults too common in elections, that the ſix firſt Kings of the third race thought it behoved them to have their eldeſt ſons crowned in their life-time. Theſe aſſociations gradually eſtabliſhed lineal and agnatic hereditarineſs, which in time put an end to the elective power; and the ſceptre at length appeared ſo ſecurely fixed in the family of Hugh Capet, that Philip Auguſtus did not think it at all neceſſary to have his ſon crowned. The ſucceſſion in the eldeſt of every line became a fundamental law of the ſtate, and has been accordingly obſerved for above ſeven hundred years; without the younger brothers, or the eldeſt of the younger branches, having ever laid any the leaſt claim to the throne.

Invention of muſic in ſeveral parts. Devotion of that age.

ABOUT this time a monk of Arrezzo, named *Guy*, *Anno* 1026. invented muſic in ſeveral parts.

Till then only melody had obtained, which conſiſted in the ſinging of one voice or more, one after another; and this is ſtill the only chaunt which pleaſes the orientals, who cannot endure that contraſt of flats and ſharps, dieſiſes, fugues, ſyncopes, in which we place the perfection of muſic *. Guy, being born a muſician, found out, by dint of thought, that by obſerving certain proportions, ſeveral different voices might be made to ſing together, and form a raviſhing harmony. It was he who invented the *lines*, the *gammut*, and the ſix famous ſyllables, *ut*, *re*, *mi*, *fa*, *ſol*, *la*, which he is ſaid to have taken from the three firſt verſes of St. *John*'s hymn, *Ut queant laxis*.

At firſt *points* and *letters* were uſed to denote the degree of gravity or height to be given to each ſound, till in 1330, De Mœurs, a native of Paris, invented the figures or characters called *notes*, denoting the lowering or raiſing of the voice, its quick or ſlow motions, and all the variations which

* Baron. an. 1022, et ſect. vi. Bened. p. 508.

conſtitute harmony. It is not above ninety years ſince *Si* was invented by a Frenchman, named *Le Maire.* The practitioners found it of ſuch convenience for beginning the chaunt, and knowing the intervals, that all the envious declamations of the old maſters could not hinder its being generally adopted in Italy and France.

The Arrezzo monk's invention was received with univerſal applauſe, as, by means of it, a child learned in a few months what would before have taken up a man ſeveral years. All the churches of any note, eſpecially in France, ſoon came to have a choir of muſic. That of the church of Paris was in great celebrity ſo early as the thirteenth century. It muſt, however, be owned, that the muſic of this Italian religious wanted the airineſs and graces which characterizes that of our age. But with all its imperfections, it continued in vogue ſix hundred years, till under Lewis XIV. ſome beginnings were made for improving it in vivacity and expreſſion. It was little better than in a ſtate of barbariſm, when, in 1647, the Chevalier de Guiſe brought *Lulli* into France. The young Florentine ſtudied under our French maſters, and, in a ſhort time, attained to ſuch knowledge and ſkill, that he would ſtill bear the palm among muſicians, had not our age produced a *Rameau.* It is to theſe two celebrated

lebrated men that French muſic owes its preſent high pitch of elegance and expreſſion.

Concerning the devotion of thoſe times, a great part of it conſiſted in building new churches, repairing the old, and embelliſhing both; and to ſuch a length was this humour carried, as to pull down the fineſt churches only to rebuild them in the new faſhion, which was much worſe than the former. The great men, in a manner, ſtrove who ſhould beſt deſerve the title of *founders*, ſome demoliſhing with one hand to build up with the other, ſtripping the widow and orphan to erect temples to the Lord; ruining five or ſix monaſteries for the glory of founding and endowing an abbey, with an opulence ever little ſuitable, and ſometimes even deſtructive, to the monaſtic ſtate. As if the plunder of the church and the poor could be an acceptable offering to God, yet were ſome monks ſo ſelfiſh as to encourage theſe abuſes; nay, they forgot themſelves ſo far as to claſs among the ſaints thoſe who enriched them by ſuch rapines.

King Robert, ſon to Hugh Capet, diſtinguiſhed himſelf by ſuch foundations to the number of above thirty; but his foundations were acts of real piety, burthenſome neither to the people nor the clergy. It will, perhaps, be aſked, how a prince with only the

dutchies of France and Burgundy could afford ſuch prodigious diſburſements? What were then the revenues of our kings at the beginning of the third race? They are diſtinguiſhed into ſeveral branches; the produce of the *royal demeſnes*; thoſe of the *law* in the baillivics and provoſtſhips belonging to the crown; the *cens* or *quit-rents*; the *foreſts* and *waters*; the duties of *exportation* and *importation*; the *regale*; the *coinage*; the duty for *procuration* or *giſte*; and a compoſition by the nobility and biſhops, in lieu of lodging and entertaining the king when on a journey, and taxes on the Jews. What our monarchs have at times drawn from that nation, together with the dues of *commonage*, and the *cuſtomary aids*, is ſcarce to be conceived. Theſe cuſtomary aids were certain duties payable by vaſſals to their lords when he made his eldeſt ſon a knight, when he married his eldeſt daughter, when war was made on him, or on his being taken priſoner. Theſe revenues were collected by proper officers, who brought them every year to Paris at there ſtated times.

Election of Biſhops.

THE archbiſhoprick of Bourges falling vacant, king Robert earneſtly ſolicited the clergy to chooſe Gauſlin, abbot of Fleuri, natural

natural ſon to Hugh Capet. The chapter excuſed itſelf, pleading that baſtards were excluded by the canons from the honour of the prelacy. Both parties perſiſting in their claims, the ſee remained vacant for ſome years; but at length the chapter, in order to recover their incomes which the king had ſeized, thought it adviſeable to ſubmit to the yoke of obedience. Though our kings allowed of free elections, yet, when they thought fit, they, of their own abſolute authority, nominated to the biſhopricks of the kingdom, without the concurrence either of people or clergy. The chapter of Chartres having choſen the dean for biſhop, Robert annulled the election, and conferred the ſee on Thieri. The biſhop of Langres dying, this prince ſucceſſively ſubſtituted Richard and Hugues, who were inſtalled, notwithſtanding all the oppoſition of the Langrois, to whom thoſe two prelates were very unacceptable. Sometimes the monarch was pleaſed only to nominate the perſon to be choſen; or frequently permitted churches to chooſe him whom they ſhould think moſt worthy. If a candidate appeared equal to ſo high an office, he confirmed the election, and even granted him the temporalities of the biſhopric. On this account the moſt learned prelate * of that time ſays, that

* Fulbert epiſt. apud Duch. tom. 4. p. 174.

biſhoprics were obtained by the *clergy's election*, the *people's votes*, and the *king's gift*. If king Robert was careful that no unworthy ſubjects ſhould enjoy the dignities of the church, he likewiſe kept a ſtrict eye on the behaviour of incumbents. Leutheric, archbiſhop of Sens, had introduced into his dioceſe the cuſtom of trying accuſed perſons by the communion; on which Robert wrote to him, *I ſwear by the duty I owe to God, that if you do not amend, you ſhall be outed from the honour of the prieſthood.* What gave great offence in that prelate was, beſides his attributing corporeal ſufferings to the Deity, his making uſe, in adminiſtering the euchariſt, of different words from thoſe of the church. *Receive*, he uſed to ſay, *the body of our Lord, if, however, you are worthy of it.* Concerning the euchariſt, a very ſingular cuſtom of ſeveral churches was, that the prieſt, at his ordination, received from the biſhop a conſecrated hoſt, which he was not to make an end of till within forty days, taking only a very ſmall bit at every maſs; yet a Roman order makes the new prieſts to communicate only ſeven days on the hoſt which they had received from their prelates. This cuſtom is ſaid to be eſtabliſhed as expreſſive of the unity of the biſhop's and the prieſt's ſacrifice.

Robert,

Robert, in fine, omitted nothing to make France happy, but he had the grief of ſeeing his dominions ſeveral times deſolated by famine. The firſt was general throughout all Europe; the ſecond raged to that degree in France, that people were known to dig up corpſes newly buried, and greedily feed on them. Others went prowling after children, or ſtood at the corner of woods, like wild beaſts, to ruſh on travellers. At Tournus a butcher publickly expoſed human fleſh to ſale, for which indeed he was burned. A man who kept an inn in a foreſt made a practice of murdering ſuch of his gueſts as he thought would afford the beſt food. He was diſcovered by two travellers, a huſband and wife, who happily eſcaped his inhumanity. The officers of juſtice coming to his inn, found forty-eight heads of men, women, and children, for which he was put to the ſame death as the butcher. The diſtreſs increaſed to ſuch a degree, that bread was made of a kind of argillaceous white earth mixed with a little meal or bran *.

* Giſbert, l. 4. c. 4.

Eccleſiaſtical corruptions. The Lord's truce. God's fraternity. Quarentaine le Roy.

ITALY, at that time, af-
Anno 1042. forded a very ſingular phœ-
nomenon. The Roman church had at its head three anti-popes, who had carried their elections by force or money. Theſe three pontiffs * agreed to an equal diviſion of the revenues of the church, and to live in the moſt perfect good underſtanding. This harmony laſted whilſt they were able to ſupply their pleaſures; but money coming to fail, each ſold his part of the ſupreme pontificate to the deacon Gratia, a man of quality, very rich, and whom Glaber, a cotemporary author, calls *a very good prieſt, very devout, and of known ſanctity*. It was, however, reſolved, that young Benedict IX. who had been elected at the age of nine years, and long before the two others, ſhould hold the tribute which England then paid to Rome, being a tax of a denier on each houſe, by way of offering, alms, or acknowledgment to the holy ſee, on which account it was termed *St. Peter's denier*. This taxation, impoſed in 740 by Offa king of Mercia, and Ina king of the Weſt-Saxons, was increaſed in 752 by one of the Daniſh kings,

* Caſt. l. 3. dialog. ſec. 4. acta. Bened. t. 8. p. 461.

named

named Ethelwolf. The new Pope took the name of Gregory VI. but being depoſed as a Simoniac, the Emperor, by his own authority, appointed a ſucceſſor, without any murmurs on the part of the Romans.

This was indeed a ſad time of Simony. In the reign of this King, Henry I, in a council held at Lyons, forty-five biſhops, and twenty-three other prelates, publicly owned themſelves guilty of that crime, and laid down their benefices; a penance as rare as the treſpaſs was common. The celibacy of the prieſts, though acknowleged by the whole weſtern church, was not the more regarded, eſpecially in the provinces bordering on Germany, in Brittany, and Normandy. Some openly kept notorious proſtitutes; others had in their houſes concubines, or, as the word then was, *chembrieres*. Some, judging it was more decent to have lawful wives, entered into an authentic marriage by civil contracts. The councils and the popes, diſcharged the fulminations of the church againſt ſuch delinquents, deprived them of their benefices, interdicted and excommunicated them; and forbad the laity to be preſent at their maſſes. But all theſe wholeſome ſeverities produced little effect, till recourſe was had to an expedient of allowing the lords to make ſlaves of the iſſue born of theſe illegal marriages, and to ſell them

as

as ſuch. It was about this time that the biſhops, in ſeveral councils, prohibited duels, though only for certain days. This was called the *Lord's truce*; a monument both of the weakneſs of the government, and the calamities of the times. Every nobleman claimed a right to do himſelf juſtice with a ſtrong hand; and the nobleſſe increaſing beyond all number, all places were over-run with outrages and bloodſhed. A remedy to an evil ſo contrary to religion, and ſo deſtructive to ſociety, was long ſought for; and a beginning was made, by enjoining, that from Saturday till Monday *prime*, no perſon ſhould attack his enemy, whether monk or clerk, tradeſman, artificer, or peaſant. It was afterwards enacted, that from Wedneſday evening to Monday morning, nothing could be taken in a forcible manner, no injury was to be revenged, nor pledge required. The offender paid the compoſition preſcribed by the laws, as one deſerving death, or was excommunicated and baniſhed. The council of Conſtance extended the prohibition even to the feſtivals of the Virgin and the Apoſtles, and declares, that from the firſt Sunday in Advent to the octave in Epiphany, and from Septuageſima to the day after Trinity Sunday, any perſon aſſaulting, wounding, killing or robbing another, ſhall be puniſhed with excommunication and anathema.

This

This truce, which was ſaid to be inſpired by God, met with great oppoſition. Gerard biſhop of Cambray looked on it as ſtriking at the prerogative of ſovereigns, to whom alone it belongs to quell ſeditions, to put an end to wars, and make peace. He ſaid, "*it was introducing confuſion into the church, "which is to be governed by two ſorts of per-"ſons, by kings and by biſhops.*" However, at the inſtances of his clergy, he aſſented to that ſingular regulation. The Normans likewiſe, elevated with the power of declaring war, would not, for a long time, hear of an ordinance which ſeemed to curtail their independency, till an epidemic diſeaſe raging among them, they yielded, and promiſed on oath to conform to the decree.

After all theſe obligations and oaths, civil and perſonal wars blazed out again with more rage than ever, and eſpecially in Normandy and Aquitaine; which gave riſe to a new confederacy, under the name of the *Brotherhood of the Lamb of God.* It is related, that one Durand, being at his work in a foreſt, the Virgin appeared to him, and gave him a medal, on which ſhe was repreſented at her Son's feet, with this legend, *Agnus Dei dona nobis pacem.* The devout woodman immediately acquainted his biſhop, that it was God's order he ſhould every where preach peace. This ſoon produced a very

very numerous aſſociation of all ranks, who bound themſelves by an oath, vigorouſly to proſecute any who ſhould diſturb the tranquillity of the ſtate and the church. They wore linen white hoods, with a medal of our Saviour and his Bleſſed Mother faſtened on their clothes; great numbers having been ſtruck after the model of that ſaid to have been brought from heaven; and its inſcription was made the motto of the new order.

But to cut the root of the deſtructive evil, was reſerved to St. Lewis. It had been a ſtanding obligation in France, for all the ſame family mutually to aſſiſt each other in their private wars. The conſequence was, that a nobleman often found himſelf hemmed in by an army, before any cartel was ſent him, or he could ſummon his allies and kindred. Lewis IX. *, others ſay Philip Auguſtus †, iſſued that celebrated ordinance, by which the relations of thoſe who have a right of declaring war, or who actually declared it on any account whatever, are not to be attacked till after the expiration of forty days, under penalty of death, as an act of high treaſon. This is what is called *Quarentaine le Roy*. If any one was killed in thoſe family quarrels, four *quarentaines*

* Buteler. in ſumma rurali. tit. 34.

† De Lauriere, t. 1. ordin. reg. pag. 46 & 47.

were

were to be obſerved for every one thus killed; *and theſe quarentaines were always ſtrictly kept to, whatever animoſity there might be between the parties* ‡. After that edict juſtice was obſerved in declaring war, both ſides had time for preparation, and the country people carried on their labours in ſafety.

Origin of the Dignity of Cardinal.

NICHOLAS II. enacted in a general council, that the Pope ſhould be elected only by Cardinals; a title given to thoſe prieſts and deacons who were as a council to the metropolitans, or who immediately aſſiſted the biſhop in the church-offices, or who had obtained from the Pope the right of ſaying maſs at a certain altar, called *Altare Cardinale*, of which there was one in every church, as at Rome. The Cardinals of Rome enjoyed ſome pre-eminencies. We find them at ſeveral councils, as envoys from the Pope; but in the ſignatures the biſhops and abbots took the precedence of them. On being promoted to a biſhopric, the *Cardinalſhip* became vacant, the former being reputed the greater honour; whereas *Anno* 1052.

‡ Apud Henric. de Bellis Leod. num. 9 & 12.

the

the cardinalſhip is now the moſt eminent dignity in the church, next to the Pope. They are in number ſeventy, the Pope repreſenting Moſes, and the Cardinals the ſeventy elders.

At the creation of a Cardinal, the Pope performs the ceremony of ſhutting and opening his mouth, which is done in a private conſiſtory. The ſhutting his mouth ſignifies the depriving him of the liberty of giving his opinion in conſiſtories and congregations; and the opening of his mouth, which is fifteen days after, implies the taking off ſuch reſtraint. If a Pope dies whilſt a Cardinal's mouth is ſhut, he can neither give his vote in the election of a new Pope, nor be himſelf promoted to that dignity.

The celebrated father Paul obſerves, that the name of Cardinal, originally derived from a very low and abject condition, is, by a change of ſignification, become a title ſo elevated, that Cardinals are now ſaid to be *quaſi cardines omnium terrarum.*

The epocha of the inſtitution of Cardinals is not punctually known. Some make it ſo early as the ſecond century; others place it in the fourth. Their habit at firſt was not different from that of other eccleſiaſtics. Innocent IV. in the year 1645, conferred

on

on them the red cap and hat; and from Boniface VII. as a farther mark of dignity, they received the purple robe; to which Paul II. added the diſtinction of a white horſe, with a gilt bridle and purple houſeings. They were ſtiled *Moſt illuſtrious*, till Urban VIII. who, as an acceſſion of grandeur, changed it into the title of *Eminence*. The *regular* Cardinals wear no ſilk, nor any other colour than ſcarlet, and that of the habit of their order. Their function is to be as miniſters of ſtate to the ſovereign Pontiff, to aſſiſt him with their counſels in the government of the church; and on his demiſe, to elect the ſucceſſor, for which purpoſe a conclave is held.

The conclave is a range of cells, ten feet ſquare, made of wainſcot: theſe are numbered, and drawn for by lot. They ſtand in a line along the galleries and hall of the Vatican. Every cell has over it the Cardinal's arms, who is attended by an eccleſiaſtic, called his conclaviſt. The conclave is guarded by troops. Neither the Cardinals, nor any perſon ſhut up, are ſpoke to, but at the hours allowed of, and then in Italian or Latin. Even the proviſions for the Cardinals are examined, that no letters be conveyed by that means from foreign miniſters, or other perſons who may have an intereſt in the election of a Pontiff.

There

There are four orders of Cardinals; biſhops, prieſts, deacons, and ſubdeacons: yet is this high eccleſiaſtical dignity to be obtained without entering into any Holy Orders.

Norman Conqueſt of England.

ONE of the greateſt misfortunes to the Britiſh nation, though confeſſedly brave, and fond of liberty, yet ever deſtined to have foreigners for ſovereigns, was Edward the Confeſſor's want of iſſue. This prince is ſaid to have made a vow of virginity, and obliged his conſort, one of the fineſt women of the age, to the like. A raſh and abſurd vow, and looked on by many as a proof of imbecility, impotence, or a hatred founded on reaſons of ſtate, rather than any exceſs of devotion. Whatever it was, his dying iſſueleſs threw the kingdom into confuſion; till at length the votes concentred in Harold, ſon to Goodwin earl of Kent, as a perſon of parts and ſpirit, though not of Edward's family. William the Baſtard, duke of Normandy, without any right of inheritance, or the leaſt countenance from the great men and the commons, claimed the ſucceſſion, pleading a will which intitled him to the crown *; a will, which no body

* Guillel. Malmeſb. l. 2.

ever

ever ſaw. He farther alledged, that Harold, in conſideration of his being releaſed out of priſon, had made over to him any right he might have to the kingdom of England; reaſons weak in themſelves, but which he found means to back with a powerful army.

This prince had both courage and conduct; was intrepid without raſhneſs, always maſter of his paſſions, active or ſlow, inflexible or pliant, humane or merciful, ſevere or cruel, according to circumſtances; generally fortunate, ſometimes liberal, though with reluctancy, loading his ſubjects with impoſts more from avarice than neceſſity. He convened the barons of Normandy for new ſubſidies, but met with a denial, the nation fearing to be irretrievably impoveriſhed if the enterprize miſcarried, or to become a province of England if it ſucceeded. The duke of Britanny, in the mean time, ſent a declaration of war to him if he did not deliver up Normandy, as belonging to him by right of his mother, duke Robert's legitimate daughter. Theſe were traverſes which would have diſconcerted any other than William, but his good fortune, or his dexterity, ſurmounted every obſtacle. Poiſon, or at leaſt a ſudden death, rid him of the Briton Prince; and a Norman lord, named Fitz-Othbern, ſupplied him, at his own expence, with forty ſhips ready equipped.

The Pope himſelf declared for him, and made uſe of his eccleſiaſtic fulminations againſt all who oppoſed his deſigns. The Earl of Flanders, whom policy and the intereſt of his ward, the King of France, ſhould have rouſed to arms in oppoſition to this enterprize, aſſiſted him with ſome money.

William ſet ſail from St. Valeri, with a fleet of nine hundred ſhips, excluſive of frigates and barks. The land forces conſiſted of a hundred thouſand men, French, Aquitanians, Bretons, Manſans, and Normans. Having landed on the coaſt of Suſſex, he cauſed all his ſhips to be ſet on fire; giving the ſoldiers to underſtand, that they muſt die or conquer, then marched towards his rival, who met him near Haſtings, and there was fought the famous battle which decided the fate of England. It laſted from ſix in the morning till three in the afternoon; both chiefs ſhewing themſelves worthy of their high ſtation, and were likewiſe well ſeconded by their reſpective troops; but at length Harold being killed, with his two brothers, and a great number of nobles fighting by his ſide, victory declared for the Normans. Dover, though defended by a numerous garriſon, ſurrendered without any reſiſtance. Canterbury was equally paſſive; and, on his approach to London with a conſecrated banner

banner ſent by the Pope carried before him, both clergy and laity, came out to make him an offer of the crown, and the archbiſhop of York performed the coronation with the uſual ceremonies.

This bloody victory, by which the duke of Normandy ſubdued England, gained him the ſurname of *Conqueror*, and poſterity has ſubſtituted it for that of Baſtard, as he was termed in his time, and the name which he himſelf uſed in all public inſtruments. Wiſer than Alexander, who adopted the cuſtoms and manners of the nations he conquered, William ordered that the Engliſh ſhould conform to the Norman cuſtoms, wear the like dreſs, and, like them, ſhave their beards, be governed by the ſame laws, that the Norman idiom, which was French, with a ſmall mixture of Daniſh, ſhould be the only language; that all pleadings, ſentences, and public inſtruments, ſhould be in that rude jargon; and this laſted till Edward the Third's time.

If William's act of the *Couvre-Feu*, by which, at the ringing of the bell at eight o'clock in the evening, all fire in every houſe was to be put out, ſavoured of tyranny, it was not without prudence; for all the houſes being then of wood, the ſtricteſt precautions were neceſſary. As to his having raiſed to him-

ſelf an income of a hundred thouſand pounds ſterling, by a regiſtered evaluation of all the eſtates in England, it is a palpable miſtake, ſays a celebrated modern writer; as that would make above a hundred millions of French money; and the revenue of Great Britain, including England, Scotland, and Ireland, does not amount to ſuch a ſum, after deducting the intereſt paid on the national debt. This is certain that the elevation of William is the epocha of the grandeur and power of England. The Engliſh became civilized by their intercourſe with the French, arts and ſciences began to flouriſh; and hence that celebrity which for ſome time paſt has diſtinguiſhed Great Britain; and hence the great figure it at preſent makes in Europe.

Account of Pope Gregory VII. Dictatus Papæ.

THE Roman church was then governed by Hildebrand, an Italian of very mean birth; at firſt a monk, afterwards created a cardinal by Alexander II. Paſquier ſays of him *, *He was one of the boldeſt defenders of the ſee of Rome, employing arms, the pen, and fulminations, to promote whatever he thought made for the advantage of the papacy,*

* Epiſt. 35. Greg. VII. l. 2.

and

and the diſadvantage of ſovereigns. He is known to be the firſt who dared advance that the Pope has a right to depoſe Emperors, and to abſolve ſubjects from their oath of allegiance. Such at leaſt is the doctrine of that famous piece, ſo well known by the name of *Dictatus Papæ*, as containing his inſtructions to his legates; and his circular letters are full of *biſhops being above Kings, and made to ſit in judgment over them.* He excommunicated and depoſed Boleſlaus, King of Poland, taking from Poland ſo much as the title of kingdom. Nicephorus Botoniates, Emperor of Conſtantinople, amidſt all his victories, received a peremptory order from this aſſuming Pontiff, to abdicate his crown. The princes of Apulia and Calabria, the Normans, ſo famous for their conqueſts over Rome and Greece *, ſubmitted to become feudatories to the holy ſee, and take an oath of fidelity to him. In his letters to Manaſſeh, archbiſhop of Rheims, and ſome other French prelates, he ſays, *Your King is a tyrant, unworthy of the ſceptre, he lives in infamy and guilt.* His legate, ſoon after, received orders to require from the French an annual tribute of a ſilver denier for each houſe, as in England; but ſuch a requiſition was treated only with contempt and laughter. Spain, however, was dealt with ſtill more

* L. viii. Epiſt. Greg. poſt primam. Epiſt.

deſpotically *. *You are not ignorant*, ſays he, to the Chriſtian princes of that country, *that St. Peter is Lord paramount of all your little territories, and that they abſolutely belong to the holy apoſtolic ſee. It were better they were in the hands of the Saracens, than not to do homage to the vicar of Jeſus Chriſt. You ſhould have learned from your predeceſſors* (ſpeaking to Solomon, King of a country where Chriſtianity was but little known) *that Hungary is a demeſne of the church of Rome. Know that you ſhall feel its indignation, unleſs you acknowledge to hold your authority from the Pope.* Sardinia, Dalmatia, even Ruſſia itſelf, he looked upon as ſo many fiefs depending on the Roman Pontiff. *Your ſon*, ſays he to Demetrius, a Ruſſian King, *has ſignified to us, that he is for receiving the crown from our hands. His offer and demand appearing juſt to us, we have given him your kingdom in St. Peter's name.*

But the ſovereign who moſt felt his arrogance, was the emperor Henry IV. This prince, in imitation of his predeceſſors, nominated biſhops and abbots, conferring the inveſtiture with the crozier and ring. The pope, on a bare information of the emperor's ſelling benefices, ſummoned him to appear at Rome. Henry was juſt returned from a

* Lib. i. ep. 6, 7. and lib. vi. ep. 2, 8.

very

very glorious expedition againſt the Saxons, when he received this ſtrange order; accordingly he anſwered it by convening a ſynod at Worms, where ſentence of depoſition was pronounced againſt the pope. On the other hand, Gregory aſſembles a council, in which he pronounced this tremendous anathema: *In the name of God Almighty, I forbid Henry to govern either the Teutonic kingdom, or that of Italy: I abſolve all Chriſtians from the oath they have taken or ſhall take to him: I farther excommunicate all perſons who ſhall ſerve him as king.* This is the firſt inſtance of a ſovereign depoſed by prieſts.

This ſentence, though pronounced *againſt the opinion of the council,* ſtirred up the whole empire againſt its head, that Henry ſoon ſaw himſelf ſurrounded by an army of rebels, who, with the pope's bull in their hand, obliged him to promiſe that he would live like a private perſon within Spires, forbearing all regal functions till Gregory ſhould come to Augſburg, to hold a court of princes and biſhops for trying him. The emperor thought it more adviſeable to prevent this trial, by going and aſking his abſolution. Henry made his appearance before the caſtle where Gregory then was, bare-footed, without guards or any attendance, and a hair ſhirt on inſtead of his imperial habits. He was

taken into cuſtody, and put under a ſtrict faſt for three days, when he was admitted to kiſs the pontiff's feet, who abſolved him, with a proviſo of his unreſerved ſubmiſſion, and going to Augſburg to wait for his decree.

Affairs, however, took ſuch a turn within a twelvemonth, that Henry came and laid ſiege to Rome, bringing with him another pope. The city was taken, but Gregory made his eſcape, and died in exile, acting to the laſt as the maſter of kings, and declaring himſelf the martyr of truth.

The Croiſades.

Wm. II.

Anno 1094. PALESTINE was no longer what it had been under the government of the Jews. Its capital, after ſuch viciſſitudes, deſtroyed by Veſpaſian, rebuilt by Adrian, embelliſhed by Conſtantine, ruined by the Perſians, repeopled by the Saracens, taken and retaken as often as its neighbours came under new maſters, was at that time groaning under the tyranny of a branch of the Turks, called *Selgiucides*, of another lineage than the preſent Turks, ferocious, lawleſs, and ſuch enemies to all religion, that they committed all manner of violences againſt ſuch

ſuch Chriſtians, who, according to the devotion of that time, came to viſit thoſe places where our Saviour had been converſant during his incarnation. A pilgrim of Amiens, moved with thoſe exceſſes of which he had been both witneſs and object, undertook to excite the pope and the Chriſtian ſovereigns to unite their forces againſt thoſe barbarians. Urban II. pleaſed with the honour which would redound to him from ſuch an expedition, ordered him to go to all the courts, and animate the princes and the nobility to execute ſo exalted a project.

Peter accordingly roved from country to country bare-footed and bare-headed, with a large crucifix in his hand, preaching up the expedition with all the enthuſiaſm of a prophet. The court, city, and country, being at that time immerſed in the groſſeſt ignorance, caught the devout hermit's flame: all Italy, France, and Germany, were impatient to form a league for ſo glorious a deſign. The pope, on advice of his meſſenger's ſucceſſes, held a council at Placentia, to which reſorted four thouſand eccleſiaſtics of all ranks, and above thirty thouſand of the laity. The ambaſſadors of the emperor Alexis Comnenius likewiſe came to ſolicit the aſſiſtance of the Chriſtian princes againſt the Muſſulman, who threatened the ſmall remains of Chriſtianity in the Eaſt. But it was not from

from Italy that Conſtantinople was to expect aſſiſtance. The pope meant nothing more than to aggrandize the holy ſee by the conqueſt of a new kingdom; and the Italian princes, fond of their own delicious country, were little diſpoſed to go and fight amidſt barren rocks.

This made it neceſſary to convene another council in the year 1095, at Clermont in Auvergne, at which aſſiſted a prodigious multitude of perſons of all ranks, eccleſiaſtical and civil. The pope, in a ſpacious ſquare, made ſuch a pathetic harangue on the profanation of the holy places, the diſtreſs of the Eaſtern Chriſtians, and the danger all Europe was in without an oppoſition to the progreſs of the infidels, that all cried out as with one voice, *Dieu le veut! Dieu le veut!* i. e. It is God's will! It is God's will! Which words were for a long time the war-cry and motto of the *Croiſes*, the name given to thoſe who liſted for this expedition, from a croſs of red ſtuff on the right ſhoulder, or on the hood: and this croſs could be given only by the pope, biſhops, abbots, or dignitaries.

This unanimity in ſuch a numerous aſſembly, was looked on as a miracle. The Pope conſtrued it *a manifeſt expreſſion of the ſupreme will; an oracle of heaven's inſpiration;*

tion; a ſure preſage of the happy ſucceſs of a war for which God declared. But on examining the affair with the eyes of reaſon, it was no more than very natural, and in the common courſe of human events. The far greater part of the council were French, a people equally fond of war and novelty; the nobility turbulent, independent, and beggared by licentiouſneſs; the eccleſiaſtics diſguſted with a profeſſion which indulges no irregularity; the monks tired of a life which ſevered them from the reſt of the world; the people loaded with taxes, and conſequently wretched; all ranks plunged in profligacy or ſuperſtition, they rejoiced at any opportunity of ſignalizing or enriching themſelves. All Croiſes, beſides not being ſued for debts, were exempted from all impoſitions; the gentry were allowed to mortgage their eſtates; the commoners goods were put under the protection of St. Peter, which, at that time, was a ſure ſafeguard: a total remiſſion of ſins was propoſed to all adventurers: In a word, heaven was opened to them on no other penance than following their favourite paſſions of travelling and making war.

Accordingly all ſtrove who ſhould be moſt forward in having themſelves croiſed: Some from libertiniſm; ſome from a falſe zeal for religion; ſome to be talked of; ſome from

a love of change; ſome again to be out of the way of their dunning creditors; and others with a view of mending their fortunes. Biſhops, abbots, monks, lords, gentlemen, tradeſmen, artificers, ruſtics, old men, women, and children; every rank, ſex, and age was for making one in this expedition: and if Kings were not carried away with this pious phrenzy, they allowed their vaſſals and ſubjects to take the croſs.

Cotemporary writers make the number of theſe firſt Croiſes above ſix millions. One would have thought, ſays Princeſs Ann Comnenius, that Europe was torne up from its foundations and was falling on Aſia. The rendezvous was appointed at Conſtantinople; but of that ſtupendous multitude, to which different routs had been preſcribed, ſome, diſcouraged by the hardſhips of a march which they had fancied would be all pleaſure and entertainment, did not go beyond Italy or Germany; others died of ſickneſs, hunger, thirſt, and fatigue; above fourſcore thouſand liſted under the ſtandard of Peter the hermit, who, with all his ſeeming auſterity, could not withſtand the pride of commanding an army in a cowl, ſandals, and a thick rope about his waiſt; but woeful experience ſoon gave him to know the bad conſequences of taking on one's ſelf a part out of one's ſphere.

The

The eccleſiaſtic general divided his army into two bodies; the firſt, headed by a French gentleman called Gautier *Pennyleſs*, after an orderly paſſage through Hungary, grew licentious, and committed horrible exceſſes in Bulgaria; on which ſeveral neighbouring tribes jointly fell on them, and cut the far greater part to pieces. Peter, contrary to the character of a prieſt or chriſtian, undertook, in violation of his oath, to revenge the defeat of his lieutenant on a conſiderable town between the frontiers of Hungary and Bulgaria; and taking it by ſtorm, all the inhabitants were put to the ſword. Theſe two nations, incenſed at ſuch perfidiouſneſs, attacked him, and beſides ten thouſand men ſlain on the ſpot, took all his baggage, waggons, proviſions, and money.

Theſe were not the only diſaſters which befel the fanatical armies. That of the prieſt Godeſcald, conſiſting of fifteen thouſand Lorrainers and Germans, was ſtill worſe handled, for, after committing the moſt ſhocking outrages, rapines, and cruelties in its march, all Hungary took up arms againſt theſe lawleſs gueſts, and made ſuch a ſlaughter, that only a very few eſcaped, as it were to carry home the news of this diſaſter. Another body of above two hundred thouſand French, Engliſh, Flemings, Lorrainers and Germans, a rabble of beggarly profligates,

gates, imagined that as they were going to defend religion, they could not make a better beginning than by exterminating the Jews; and great numbers of them were maſſacred without diſtinction of age or ſex; an inhumanity which revived the tragical ſcene of Sagantum and Capua! Mothers, frantic with deſpair, ſtabbed their children; huſbands, after ripping up their wives, killed themſelves, to avoid falling into the hands of theſe barbarians, on whom, however, juſt heaven ſignalized its vengeance. Theſe execrable wretches, like their confederates, periſhed in Hungary by the ſword, water, or diſtreſs; and many as immediate victims to their enormities.

Amidſt all the before mentioned defeats, great numbers had reached the place of rendezvous; but a ſpirit of diſcord ſoon broke out among theſe lawleſs vagabonds. The Italians and Germans ſeparated from the French, as treating them with pride and contempt; one named Rinaldo, Renaud, whom they choſe commander, led them to within two leagues of Nicea, where Solyman, governor of that place, attacking him, took him priſoner, and obliged him to embrace Mahometaniſm, in which he was followed by the greater part of his ſoldiers. The French, rather irritated than diſcouraged by this blow, haſtened to revenge

their brethren; but being hemmed in by the victorious Solyman, were all killed or taken priſoners.

Such was the cataſtrophe of this firſt army of the Croiſes. A ſecond ſoon followed, better diſciplined, and leſs enthuſiaſtic; every people headed by its own princes and lords, with an equality of power, and none receiving orders from another, but all ſo infatuated as to have ſold or mortgaged their eſtates for this chimerical expedition. The firſt enterprize was the taking of Nicea; which was followed by two victories over the two Solymans, father and ſon. The Turks and Arabians having never ſeen ſuch large war horſes, nor ſquadrons in iron armour, nor vaſt foreſts of pike-men, ſoon gave way, and were defeated with horrible ſlaughter. The Croiſes then advanced to Antioch, the capital of Syria, and next to Rome and Conſtantinople, one of the largeſt cities in the world, with a garriſon of thirty thouſand horſe and foot, that it proved one of the moſt memorable ſieges ever known. It had laſted ſix months, with little or no progreſs, that the Croiſade princes muſt neceſſarily have broke up, had not a Turkiſh officer betrayed it into their hands. Their next atchievement was at Jeruſalem, which, though not ſo large, was much ſtronger than Antioch, and then under the dominion of the Caliph of Egypt, who had

had juſt recovered it from the Turks, as they had wreſted it from the Saracens. It had a garriſon of thirty thouſand men, beſides twenty thouſand fighting men among the inhabitants; whereas the army of the Croiſes, through loſſes in battles and ſkirmiſhes, ſickneſs, hunger, thirſt, and deſertion, was reduced to about twenty-three thouſand: but courage made up the deficiency. The outward wall was carried at the firſt aſſault, and at the ſecond the city itſelf, after a ſiege of five weeks. All the infidels, man, woman and child, were put to the ſword.

The fame of ſuch glorious exploits ſtimulated all who had not been in the firſt expedition, with a deſire of acquiring the like reputation. Houſes, lands, and principalities were ſold for a quarter of their value, that an army of above three hundred thouſand French, Germans, Italians, and among them ſeveral eminent ladies, was in full march for Jeruſalem. But having croſſed Hungary, and coming into the neighbourhood of Conſtantinople, Solyman routed them with terrible ſlaughter, that very few reached Jeruſalem. Such was the iſſue of the firſt croiſade; yet to the infinite detriment and confuſion of ſtates and families, ſucceeding ages ſaw ſeven more. The laſt, in which Lewis IX. was taken priſoner, and loſt his life, was about the cloſe of the thirteenth century.

Origin

Origin of Coats of Arms.

IT is to the firſt croiſade that Europe owes the firſt uſe of coats of arms *. All nations indeed have ever had figures or ſymbols on their enſigns. That of the Romans was an eagle; that of the Thracians, a ſkeleton; that of the Goths, a bear; that of the Alains, a cat; that of the Francs, a lion; that of the Saxons, a horſe. Even individuals had their ſhields decorated with ſome emblems, denoting either their birth, their atchievements, or the quality on which they moſt valued themſelves. But theſe were no more than mere hieroglyphics; fathers and their iſſue often had different devices. In a word, theſe images, being purely matters of fancy, did not ſo much diſtinguiſh houſes and families, as denote the humour and temper of the bearer.

* Theſe marks of honour are called *arms*, from being principally and firſt worn by military men at war and tournaments, who had them engraved, emboſſed or depicted on ſhields, targets, banners, and other military implements. They were alſo called *coats of arms*, from the cuſtom of having them embroidered on the coats worn over the armour; it is originally, like moſt terms of heraldry, a French word, *cotte d'armes*. Porny's Heraldry, p. 5.

Real coats of arms were not known before the twelfth century, even thoſe of France * not excepted. The three toads, the three crowns, the three creſcents, the lion with an eagle on his tail, the lillies ſaid to be brought from heaven by an angel, are mere fables, no leſs abſurd than the reveries of ſome who have given arms to the father and mother of mankind, to Noah, and the twelve tribes of Iſrael. The ſeal of our ancient Kings generally has their portrait, or that of a ſaint, ſometimes church-doors, very often croſſes, and other ſymbols of devotion. Hugh Capet is repreſented with a globe in his right hand, and in his left a *main de juſtice*, or a ſceptre with an ivory hand at the top.

Lewis the *Fat* is ſitting in an arm-chair, with a kind of alb on him, a three-pointed ſceptre, and on his head a crown with ſeveral croſſes. The firſt ſeal with a lilly is that of Lewis VII.

All theſe variations, ſays Paſquier, prove *the arms, both of our ancient Kings and their ſubjects, to have been devices, left to the bearer's fancy.* It was in the expeditions to the holy land that they became peculiar to every family. In an army of ſeven or eight hundred

* Segoin, Treſor. Herald. La Colomb. ſcienc. Herald. Ste atthe, Traité des armes de France.

thouſand men, and of twenty or thirty different nations, ſome ſign was abſolutely neceſſary for the vaſſal to repair to his lord's banner, he himſelf being hidden under an iron armour. The chiefs eſpecially found themſelves obliged to contrive certain ſymbols, both to be taken notice of in actions, and to be known by their men. Theſe were afterwards retained from vanity and oſtentation; for, to have been in a croiſade was ſomething very glorious, and every ſuch ſymbol became an eminent mark of honour. Chiefs uſed to put ſuch mark on their enſigns, had it engraved on their ſeals, painted on their ſhields, embroidered on their coats of arms, and never failed appearing with it at tournaments. They who loved eaſe more than adventures, ſoon came to envy this diſtinction, that every nobleman, every gentleman, was for having his emblem. There was no offering one's ſelf at a *paſs of arms* or *juſt*, without ſome embroidered device on the armour, or a horſe's capariſon. Yet it was not till about the middle of the thirteenth century that arms came to deſcend from father to ſon, as fixed and hereditary.

All the kinds of croſſes in eſcutcheons, the beſants *, the lions, leopards, are ſo many

* The beſant was a gold piece of money worth 50 ſols, a money coined at Conſtantinople, or the ancient *Bizantium*.

demonſtrations that arms owe their origin to the Levant expeditions. But an evident proof that tournaments have alſo greatly contributed to them, are the other pieces uſual in thoſe ſame ſhields. The chevrons, the pale, the bends, were part of the barriers which incloſed the field; the figures of conſtellations and animals come from the names aſſumed by the champions and aſſailants, all names of luſtre or terror, as knights of the ſun, the ſtar, the creſcent, the lion, the dragon, the eagle, the ſwan, every one being then at liberty to chooſe what has ſince been called arms, or coat of arms. Some took them from the lining of their mantle, as *vairée*, *chequer*, *lozanged*, *gyronny*, *feſſy*, *fuſile*; others from ſome pieces of their armour; hence ſpurs, ſpear-points, battle-axes, maces, mallets, ſwords, and helmets; others took them from their favourite exerciſes or amuſements; hence faulcions, jeſſes, hunting-horns. Some adopted thoſe which might commemorate ſome glorious atchievement or adventure. Others, leſs curious, took the firſt that offered.

It was probably on account of the ſecond croiſade that Lewis VII. took the lilies for his arms, if, however, the King's arms are lilies. Not a few affirmed, that they are neither garden nor marſh lilies, but common iriſes; and ſome again are poſitive of their

their being three irons of javelins, a weapon of the ancient French, the middle point ſtrait, pointed, and two-edged, with the two ſides bent in the ſhape of a creſcent, and the peg with which theſe three pieces were faſtened forms the bottom of the flower-de-luce. Others, from a number of gold bees as big as life being found in Childeric's tomb, look upon them to be no other than bad imitations of bees. Amidſt all theſe different opinions, it is certain that Lewis VII. is the firſt of our kings who is repreſented with lilies in his hand, and on his crown. At the coronation of his ſon Philip, he would have the young prince's to be azure, and ſemeed with golden lilies; and from that time they have been the only arms of the ſucceeding monarchs. But it was Charles V. who fixed the number of them at three. Formerly the real nobility alone were allowed arms; whereas, at preſent, perſons of mean birth not only aſſume them, but are every where diſplaying them, as if the offspring of demi-gods, that Menage's jeſt may be very well applied to them: *The arms of the new families are, for the moſt part, the ſigns of their old ſhops.* Some, inſolent beyond any palliative, have, as it were, culled the moſt honorary pieces, and inſerted them in their ſhields; which effrontery gave riſe to the proverb, *That there are*

no finer arms than thoſe of a hind *. Others have dared to ingraft themſelves on the moſt diſtinguiſhed houſes; which, ſays *Mezerai*, might perhaps be borne with, *did they endeavour after a ſoul as noble as the arms and names which they uſurp.*

In theſe religious wars were likewiſe eſtabliſhed the orders of the Knights of the Hoſpitallers, Templers, and Teutonics. The firſt were already famous before the croiſade princes had taken Jeruſalem, and their original functions were to entertain thoſe who came to pay their devotions at the ſacred places, and to tend the ſick; and thus were ſolely employed in the quiet exerciſes of charity; but afterwards an obligation was added to their ſtatutes, of taking arms againſt the enemies of religion. The example of the Hoſpitallers incited great imitation; nine gentlemen, moved with the dangers to which the pilgrims were expoſed in their journey to, and return from Jeruſalem, entered into an aſſociation to eſcort them; and this ſoon became a religious and military order, diſtinguiſhed by a white habit and red croſs. They were called *Templars*, or Knights of the Temple, from an apartment near the Temple, which King Baldwin aſſigned to them. They ſoon grew to be ſo powerful

* Mezerai, Abreg. Chron. tom. 2. p. 63, 64.

and

and opulent as to equal even the fortune of ſovereigns; but this luxuriant proſperity proved the cauſe of their ſuppreſſion, which was aggravated by many tragical circumſtances.

The inſtitution of the Knights Templars was ſoon followed by that of the Teutonic Knights, which owed its origin to the compaſſion of ſome German gentlemen for the ſoldiers of that nation at the ſiege of St. John D'Acre, taking the ſails of their ſhips to make a large tent for the relief of the ſick and wounded, whom they likewiſe ſupplied with every comfort that could be procured. This benevolent ſociety was joined by forty noblemen, and Pope Celeſtine III. formed it into a religious and military order, under the title of *Knights of St. Mary the Teutonic*. At taking the habit of the order, they were to ſwear that they were Germans by extraction, and nobles by birth. On the irretrievable declenſion of the Chriſtian affairs in the Eaſt, the Teutonic Knights withdrew into Germany in the year 1229, where they ſoon became a corps of conquerors.

The ſubjects of this and the preceding article form a part of the reign of Philip I. whom an Engliſh hiſtorian, William of Malmeſbury, makes to have died a Bene-

dictine Monk; but if he ever did take that habit, it was almoſt on his death-bed, according to the devotion of thoſe times. Kings and Queens, princes and princeſſes, uſed, at the approach of death, to cauſe ſome religious veſture to be put on them, and ſome, in their laſt hours, would even be carried to a convent. Philip is accuſed of exceſſive incontinency, *in puniſhment of which he forfeited the gift of curing the king's-evil, but which God was graciouſly pleaſed to reſtore to his ſucceſſors* *. He was the firſt of our Kings who, to authenticate his grants and charters, had them counterſigned by the great officers of the crown.

Remarkable accommodation between Lewis VI. *and Foulquet Count of Anjou, High Steward of France.*

Hen. I. *Anno* 1114. THESE articles are taken from the memoirs of a man of quality, as the very negociator of the accommodation. It at the ſame time may ſerve for a ſketch of the grandeur of our Kings, the ceremonial of their court, and of the manners of thoſe times. 1. *When the Count comes to court, the*

* P. Daniel, vol. 2. p. 527. Guibert Abb. apud Duch. c. 4. p. 322.

marſhals

marſhals belonging to our lord the King ſhall provide a ſuitable lodging for him; the ſteward ſhall go to meet him, attend him to his apartments, ſhall give the King notice of his arrival, ſhall conduct him to the palace, and bring him back to his reſidence. 2. *When the King dines in public, with the crown on his head, and at ſolemn ceremonies, the Count ſhall have a ſeat covered with a rich carpet, and ſhall continue ſitting till the dinner is ſerved. Then he is to riſe, and laying aſide his mantle, he is to take the plates from the high ſteward, and place them before the King and Queen; the like is to be repeated at every courſe. After the banquet, the Count, with the ſteward again attending him, ſhall return to his reſidence, on a war-horſe, of which he is to make a preſent to the King's cook. The mantle which he wore at the ceremony, he is likewiſe to give to the King's houſe ſteward. The cook and pantler ſhall, in their turns, ſend him, one a piece of meat, the other two loaves and three quarts of wine, to be diſtributed by the ſteward among the lepers.* 3. *If the Count goes to the royal army, the ſteward ſhall take care that a pavillion be erected for him, capable of containing a hundred perſons, ſhall provide him with beaſts of burden, cords, poles, a horſeman and two footmen. On the King's ſetting out to make war, the Count ſhall command the vanguards and in the return bring up the rear; and whatever happens, the King*

ſhall

ſhall in no caſe ſay one word of blame, reproach or diſpleaſure to him. 4. *Every ſentence paſſed in France by the Count, ſhall remain in full force, and irreverſible. Should any conteſt ariſe about a ſentence pronounced by the French judges, the King ſhall ſend word to the Count to come and amend it: If he will not comply with the King's order, the writings on both ſides ſhall be ſent to him, and his deciſions ſhall remain without any alteration.*

An hiſtorian of the ſame age informs us, on the other hand, that prince Henry, the King of England's ſon, came to Paris on Candlemas-day, to wait on the King at table, as high ſteward of France.

About this time Kings were indiſcriminately ſtiled, your *Serenity*, your *Excellency*, your *Grandeur*, your *Grace*, and ſometimes, though ſeldom, your *Majeſty*, which often ſeems rather an epithet than a title of honour peculiar to royalty.

Firſt Quarrel between the French and Engliſh.

Ann. 1111—1119. LEWIS VII. had no ſooner put a happy end to the unnatural war raiſed againſt him by his brother, and ſome of the nobility, than he found himſelf

ſelf obliged to draw the ſword againſt a more powerful and more formidable enemy. Henry I. ſon to William the Conqueror, who, from a younger brother, without any other portion than his father's treaſury, being raiſed to the crown of England, had likewiſe uſurped Normandy from his elder brother; and from this time to the reign of Charles VII. a ſpace of full three hundred years, the two kingdoms were in an alternative of wars and truces, to the number of above a hundred and twenty treaties, all broken almoſt as ſoon as ſigned.

The ſubject of the firſt quarrel was Giſors, a fortreſs on the frontiers of France and Normandy. An agreement had been made, that it ſhould remain in the hands of a lord, who was to admit no Engliſh, Normans, nor French into it; or that, on either of the two princes becoming maſter of it, he ſhould cauſe it to be razed within forty days. The governor, bribed by money, or intimidated by threats, delivered up the place to the King of England. A war enſued; in the firſt action of which the Engliſh were defeated; but this was compenſated by ſome advantages over the French. This viciſſitude of ſucceſs produced a treaty, the principal condition of which was, that William, Henry's ſon, ſhould do homage

to Lewis for Normandy, and Giſors was ceded to Henry.

Lewis the very next year declared war againſt Henry, and at firſt with ſuch ſucceſs as alarmed his enemy; but a much greater ſubject of terror to him was the treachery of one of his favourites, who, with ſome of the officers of the houſhold, had formed a conſpiracy againſt his perſon. He was at a loſs whom to truſt. He trembled at any of his domeſtics coming to ſpeak to him, frequently ſhifted his chamber and guards five or ſix times a night, and at his bed's head always ſtood ſome armed men with drawn ſwords *. A ſad inſtance, that he who makes himſelf too much feared, is never without diſquietude and apprehenſions, and that the greateſt ſafety of Kings is in the eſteem and love of their ſubjects. Henry remained above a fortnight under this frantic conſternation, till the puniſhment of the conſpirators brought him to himſelf; and being farther ſpirited by ſome advantages over the French, he determined to face Lewis. The two armies accordingly came to an action, which at firſt favoured the French, but conceiving the day their own, they at once broke their ranks, as running to plunder. Henry, taking advantage of this precipi-

* Suger in vita Lud. Groſſi. xx. p. 308.

tancy,

tancy, charged them with an impetuoſity which totally routed them, and Lewis himſelf narrowly eſcaped being taken. It is ſaid that an Engliſhman ſeizing his horſe's bridle, called out, *The King is taken, the King is taken. Knoweſt thou not*, ſaid that Prince, jeſting, *that at Cheſs the King is never to be taken*; and at the ſame time, with a ſtroke of his ſword, laid him dead at his feet. A peace was ſoon after concluded, and Henry embarked at Barfleur in his way to England. He was by himſelf in one ſhip, and in another were William his eldeſt ſon, Richard his youngeſt, four of his baſtard ſons, four of his natural daughters, and above one hundred and ſixty perſons of the beſt families in England *. But all giving themſelves up to revelry, and the ſailors, prompted by the example of their betters, drank themſelves ſtupid, that the ſhip ſtruck againſt a rock. William leaped into a boat, but ſeeing the counteſs of Perche, his favorite ſiſter, he put back to ſave her, and he had got her ſafe into the boat, till ſo many puſhing in after her, it ſunk under them, and all periſhed, princes, princeſſes, noblemen and ſeamen.

* Orderic, pag. 538. & ſuc.

Cruelty

Cruelty of crimes and puniſhments in ancient times.

Anno 1127. FRANCE began to enjoy the ſweets of peace, when Lewis ſaw himſelf under a neceſſity of taking up arms to chaſtiſe the aſſaſſins of the earl of Flanders, otherwiſe Charles of Denmark, a prince, who, for his many virtues, was ſurnamed the *Good*, the *Aſſertor of juſtice*, the *Defender of the church*, and the *Father of the poor*; but this very goodneſs drew on him the hatred of ſome ſcelerats, whoſe rapines his concern for the ſubject's welfare had excited him to reſtrain, and eſpecially the extortions of an uncle and nephew, called the *Vanſtratem*, the uncle provoſt of the cathedral, and the nephew mayor of the city. Enraged for having been compelled to open their granaries in a time of ſcarcity, and diſpoſe of their corn at an equitable price, they plotted with ſeveral of like infamous ſtamp againſt the count's life; and attacking him at the foot of the altar on Aſh-Wedneſday, cut off his head and his right-hand; afterwards ſpreading themſelves through the town, they maſſacred all the count's officers and friends, till rather tired than glutted with bloodſhed, they retreated into the caſtle and the cathedral,

dral, where they fortified themſelves againſt the rage of the people.

Lewis, on the firſt notice of this atrocious revolt, haſtened to chaſtiſe the offenders; moſt of them fell into his hands. The mayor's eyes were put out, his noſe and arms cut off, and being afterwards ſet upright on a wheel, a multitude of arrows were diſcharged at him one after another, to prolong his ſufferings. The provoſt was faſtened to a gibbet, with a dog over his head and the executioner continually beating it, that the creature mad with pain, vented its rage on the criminal, tearing out his eyes, and all the fleſh from his face. The end of the accomplices who had fled into the caſtle, was little leſs excruciating, being thrown down from the top of the tower, and expiring amidſt bruiſes and fractured limbs.

Account of the fifteenth Century; its magnificence, and ſtate of arts and ſciences. Abelard and Eloiſa.

AN idea of the opulence of this age, and of the ſtate of arts and trade, may be formed from the deſcription which the Abbot Suger gives us of the riches which he had accumulated in his church at St. Dennis. Gates of caſt braſs, gilt with water-gold, and

and the ſculptures repreſenting the paſſion, the reſurrection, and aſcenſion; a Chriſt of maſſy gold weighing fourſcore marks, on a croſs richly enamelled, and with the four Evangeliſts at his feet, executed by the moſt ingenious goldſmiths of Lorrain, which, at that time, was the only country excelling in ſuch works. Gold tablets without number, and of a workmanſhip equal to the metal, particularly one weighing forty-two marks, enriched with gems of all kinds, hyacinths, rubies, ſaphires, emeralds, topazes and pearls; an ivory reading-deſk, the ſculpture of which extends to a great part of ancient hiſtory; an eagle of ſilver gilt, and a maſterpiece of art: curious paintings on the windows, on one of which is *St. Paul* turning the mill-ſtone, *and the prophets bringing him ſacks*; ſeven large chandeliers richly enamelled: a golden chalice weighing a hundred and forty ounces, enriched with hyacinths and topazes: a very coſtly veſſel or gondola made of one ſingle emerald, which Lewis the *Fat* had been obliged to pledge, and which the abbot of St. Dennis, with the monarch's leave, redeemed for ſixty marks in ſilver, a very conſiderable ſum at that time. This extract ſuffices to ſhew the magnificence of thoſe times, and the ſkill of artificers in an age when men were beginning to think, and even to diſpute.

It

It was, indeed, about this time that ſophiſtry got footing in the ſchools, and from philoſophy made its way into divinity, perplexing it with numberleſs queſtions, equally ſubtile and dangerous. Inſtead of teaching uſeful ſciences and philology, all who pretended to wit and genius gave into the abſtractions of metaphyſics. The firſt who read lectures on this new dialectick, was Roſcelin de Compeigne, famous for his errors. His ſucceſſor, and likewiſe his diſciple, was the celebrated Peter Abelard; not leſs known for his amour and misfortune than for his genius, his elocution, and graceful perſon. Abelard's great reputation having drawn on him much envy, he was condemned at the council of Soiſſons. Some accuſed him of teaching that there were three Gods, and others that he did not properly diſtinguiſh the three perſons. After all his entreaties to have his work judicially examined, and to correct whatever might be found reprehenſible in it, the legate condemned the book to be burned, and the author himſelf was to throw it into the fire.

Amidſt ſo many ſchools of philoſophy, and ſhining patterns of virtue, a ſavageneſs ſtill prevailed in the national manners, and with no ſmall mixture of ridicule. The King granted to monks and prieſts the privilege of appointing duels between their free

ſubjects or their villains. Anathemas were likewiſe fulminated againſt him, who ſhould dare to embezzle any thing from a ſum of twenty ſols, deſtined by a good abbot for buying fiſh to treat the monaſtery *. That monſter Simony, after ſo many puniſhments both temporal and ſpiritual, ſtalked bare-faced among the clergy, and even in convents; and the marvellous ſtill continued to be the people's predominate taſte. Of this I ſhall give the reader one ſpecimen, related on the teſtimony of Peter the Venerable †.

" A Count de Macon was ſo wicked and " brutiſh, as to live in defiance of law or " goſpel. He had a particular ſpite againſt " churches and monaſteries, which he was " continually prophaning and pillaging. " Such crimes were too great to be long borne " with, as the wretch ſoon found. One day " as this wicked lord was banqueting in his " palace, with a great number of revelling " knights, on a ſudden appears a huge " black man, on a horſe of the ſame " colour: this frightful ſtranger, with-" out minding guards or barriers, rode " into the hall where the merriment was, " and with a threatning voice ordered the " Count to follow him. Where now was " his vapouring and lordly imperiouſneſs?

* Chron. Maurin. p. 375.

† Nic. Gillos chron. ann. 1120.

" The poor creature, as if compelled by
" ſome inviſible power which he felt was
" not to be withſtood, roſe, and with hor-
" ror in his face, and trembling ſteps, went
" down tottering to the caſtle gate, where
" ſtood another horſe which he was made
" to mount; then the huge black man
" taking hold of the ſecond courſer's reins,
" carried both it and the rider after him into
" the air, to the great amazement of all
" preſent. The whole town flocked to
" behold the prodigy, and continued gazing
" at him whilſt he was dragged through
" the air, as far as their ſight could have any
" glimpſe of him. He was heard to cry out
" with an agonizing voice, *Help, countrymen,*
" *help, oh, help!* but that was out of all
" human power; and on his diſappearing,
" every one returned to his home very
" much frightened, and convinced that the
" God of vengeance puniſhes, without
" mercy, thoſe who dare meddle with the
" church's goods."

Though Abelard had been obliged to burn his book on the Trinity, his opinion was not altered; and continuing to teach the ſame doctrine, he was accuſed by the famous St. Bernard of Arianiſm, as making degrees in the Trinity, of Palagianiſm, as preferring Freewill to Grace, and of Neſtorianiſm, as dividing Jeſus Chriſt. Seeing things go

againſt him, he appealed to the Pope, and immediately ſet out for Rome; but a reconciliation with St. Bernard being brought about, every thing took a more favourable turn, and Abelard was no longer an hereſiarch. He died two years after, under a complication of infirmities. He was unqueſtionably one of the fineſt geniuſes of his time, and his misfortunes had their ſource in the ſenſibility of his heart, and the ſplendor of his reputation. Eloiſa, his ſcholar and ſpouſe, ſurvived him near twenty years, and was buried in the ſame tomb at Paraclet abbey, of which ſhe was the foundreſs. The letters which paſſed between them after their ſeparation are ſtill in being, and ſhew that their forced retreat had not abated the ſentiments of a paſſion legitimated by marriage; yet does a fervent piety break forth amidſt all their weakneſſes. Abelard's letters ſpeak more ſolidity and literature; and thoſe of Heloiſa glow with tenderneſs, and the moſt pathetic effuſions of a conflicting heart.

Eccleſiaſtical Regulations. Avoués, *or Protectors of Churches.*

Anno 1148. AMONG other canons of the council of Rheims, the ſecond enjoins biſhops and clerks

clerks to forbear having variety of colours or cut figures in their apparel, and all ſuperfluous ornaments. The fourth annuls the marriages of monks, nuns, and eccleſiaſtics in holy orders. The tenth directs that each church ſhall have its particular prieſt, who is not to be deprived but by the canonical judgment of the biſhop or archdeacon, and with a competent ſubſiſtence aſſigned to him from the goods of the church. This is the real origin of titular curates, or parochial prieſts. The ſixth forbid the *Avoués* to demand any thing from the churches beyond their ancient dues, under the penalty of not having chriſtian burial.

Avoue, in Latin *Advocatus*, was the title of the noble choſen by the churches as their defender *. His buſineſs was to protect the patrimony of his churches, to plead their cauſes, adminiſter juſtice to their vaſſals, and, like the counts, to hold *general pleadings* three times a year within their diſtrict. Some date this inſtitution from the Emperors Honorius and Arcadius. The *Avoué* was likewiſe obliged to be preſent at the count's aſſizes, for the concerns of his church, which could not alienate or divert any thing without his approbation. The very abbots, and ſometimes even biſhops, were not to be

* Du Cange, *Advocati Eccleſiarum.*

choſen but by his aſſent. But honour being no univerſal motive, it was found neceſſary to enforce it with intereſt; and *Avoués* were allowed for their revenues the third part of the temporal perquiſites, and a yearly penſion proportionate to the wealth of their church. They might likewiſe appropriate to themſelves waſte lands, cultivate them, and receive the products, on condition of paying to the lord the whole tithe, and half the field-rent. The prelates were, beſides, to furniſh them with a quantity of proviſions, on their coming to hold their *pleadings*; as for ſome churches, two buſhels of wheat, or two hundred loaves, two hogs, one worth twenty, the other worth twenty-five crowns, ten fowls, twenty cheeſes, ten eggs, two veſſels of wine, four of beer, and ſix buſhels of oats. But theſe many emoluments, ſo far from ſatisfying, only inflamed the avidity of theſe protectors, who were continually fleecing thoſe very churches which they were to cheriſh; and ſuch were their oppreſſions that Kings and Popes interpoſed their authority. Some fiefs being remote, or lying in the dominions of foreign princes, *Sub-avoués* had been appointed; but the poſts of theſe new officers being leſs lucrative, they were ſtill more rapacious than their ſuperiors, and rather robbers of the churches than defenders, that the council of Rheims found it neceſſary totally to ſuppreſs them.

An Emperor holds Pope Adrian's Stirrup. Letter of Inveſtiture to Henry II. King of England.

FREDERICK I. ſurnamed *Redbeard*, Emperor of Germany, had ſeen himſelf obliged, in order to obtain the imperial crown, not only to kiſs the Pope's feet, that ceremony being then cuſtomary, but likewiſe to hold his ſtirrup, and lead by the bridle, for the ſpace of nine Roman paces, the white pad on which the holy father rode; an office to which he at firſt could hardly bring himſelf, as ſervile and novel; but afterwards he looked on it only as an empty mark of chriſtian humility. Rome however conſidered it as a real token of ſubjection, and Adrian made a handle of it for giving out in all his letters that he had conferred on Frederick the *benefice* or fief of the Roman empire; he even made a ſort of public ſhew of a picture, repreſenting Lothario II. kneeling to Alexander II. and holding up his hands between thoſe of the pontiff, with this inſcription: *Anno* 1161. Hen. II.

* *Rex venit ante fores jurans prius urbis honores,*
Poſt homo fit Papæ, ſumit quo dante coronam.

* Radevic. de Geſt. Frid. I. 1. c. 9.

The Emperor, on being informed of this affront, was filled with indignation, and loudly complained of it. *Of whom then does he hold the empire*, anſwered a cardinal, *if not of the Pope?* Such was the ſtile of the court of Rome, ſince Gregory VII.

A letter from Adrian to the King of England, on ſending him a ring in token of the inveſtiture of Ireland, has theſe expreſſions *. *Every body knows, and you yourſelf own it, that Ireland, and all the iſlands which have received the faith, belong to the ſacred ſee: you may go about conquering it, you have our permiſſion; but be careful that the rights of the church ſuffer no infringement or diminution; and ſee that every houſe be made punctually to pay to St. Peter a denier every year.* It muſt not be omitted, that he who talks thus as maſter of thrones and dominions, was a beggar's ſon, and himſelf a beggarly vagrant, before he found means to get footing as a domeſtic into the monaſtery of St. Ruff, near Avignon, where he afterwards was admitted a monk †.

* Epiſt. 1. tom. 10. concil.

† Abridg. de l'Hiſt. Univ. tom. 2. p. 18.

Difference

Difference between Thomas Becket, Archbiſhop of Canterbury, and Henry II. King of England.

A PRIEST had committed a murder, for which archbiſhop Becket only deprived him of his benefice. So inadequate a penalty was in ſome meaſure an encouragement to guilt. Accordingly a little time produced another the like inſtance by a prebend, who came off only with a few laſhes of a diſcipline, and the loſs of his prebendary. The King demanded that the two delinquents ſhould be delivered up to be tried by the laws of the kingdom. This Becket peremptorily refuſed, affirming not only that the matter belonged to him, but that a prieſt was not puniſhable with death. On this, Henry convened a parliament, where it was unanimouſly enacted, that clergymen ſhould be tried by the King's judges; that no archbiſhop or biſhop ſhould go out of the kingdom without the King's leave; that no vaſſal of the crown was to be excommunicated before application made to the King or his officers; that prelates holding fiefs of the ſovereign, ſhould conform to the royal cuſtoms equally with other barons; that, on the vacancy of a biſhopric or an abbey, the revenues ſhould be lodged in the King's *Anno* 1163.

hands; laſtly, that the place of election ſhould be the palace-chapel, where the perſon choſen ſhould take an oath of allegiance before he was conſecrated *. Becket himſelf ſwore to the obſervance of the above articles, but ſoon after procured an abſolution from Rome, and excommunicated the other biſhops for having ſubſcribed thoſe acts. This procedure irritated the monarch beyond all meaſure, and Becket, on a charge of malverſation whilſt chancellor, was ſummoned before the court of peers. He made his appearance; but it was only to tell them that he did not acknowledge them his judges; that being the ſpiritual father of the King and the kingdom, he was not to be tried by either; and that if they dared to proceed farther, they would incur the excommunication inflicted on thoſe who ſhall violate the clergy's privileges. He was, however, condemned as a perjured traitor, and all his goods and effects confiſcated; and the very biſhops declared to him that they no longer acknowledged him for their primate. Thomas on this, appealing to the juſtice of God, withdrew into France.

Lewis VII. received three deputies whom he had ſent, with a diſtinction which expreſſed great jealouſy againſt Henry, and an

* Hiſt. quadrip. part I. c. 17, 18, 19.

equal

equal eſteem for the perſecuted prelate. It is very aſtoniſhing, ſaid he to them, that the King of England ſhould have forgot theſe words of the Pſalmiſt, *Be angry and ſin not.* Sire, anſwered one of the deputies, *he would perhaps have remembered them, had he heard them ſung in the office as often as your good majeſty* *.

Anno 1169. The courts of England and France, after ſome ſhort hoſtilities, were come to an accommodation †; and all that now remained was to make the archbiſhop of Canterbury's peace. The prelate, by the advice of ſome perſons of eminence, unexpectedly made his appearance in an aſſembly which had been held on that important affair, and kneeling to the Engliſh monarch, ſaid, *I beſeech you, Sire, be gracious to the church of your kingdom: my ſins have been a great grief and hurt to it; I refer the whole matter of our difference to your diſcretion,*

* Hiſt. quadripart. l. 2. c. 7, 9.

† In a treaty between Henry II. and Lewis VII. made in 1177, the preamble deſerves notice. *Know all men, that ſuch is, and ſuch ſhall our friendſhip henceforth be, that each of us ſhall defend the others life, limbs, goods, and dignity. I Henry will, with all my might and power, aſſiſt Lewis, King of France, my liege lord. I Lewis will, with all my ability, ſuccour Henry, King of England, my liege man and vaſſal; ſave notwithſtanding, the protection we reciprocally owe to our vaſſals whilſt they remain faithful to us.*

ſaving

ſaving the honour of God. Behold his pride, cried the King of England. *If any thing happens to diſpleaſe, he will immediately ſay it is againſt God's honour. But, my lord,* added he, addreſſing himſelf to the King of France, *to ſhew that I would not in the leaſt oppoſe the honour of religion, all I aſk is, that Becket behave to me as the moſt pious of his predeceſſors behaved towards the leaſt of mine; and I ſhall be ſatisfied.* The whole aſſembly praiſed Henry's moderation. *My lord archbiſhop,* ſaid Lewis, *will you ſet up to be wiſer than all the ſaints?* The inflexible pontiff made no other anſwer, but that his predeceſſors had ſuppreſſed ſeveral abuſes, and had alſo left him a great many others to reform. On this the conference broke up, and the two Kings withdrew, taking no notice of him, or he of them.

Anno 1170. The Pope, after many fluctuations, had at length openly declared for Becket, and was going to hurl all the bolts of the church on Henry, had he not bowed to the yoke. During the altercations, one of the legates ſaid to him, *Think you we value your threats? We belong to a court that is uſed to command Emperors and Kings* *. Inſolent as this anſwer was, Henry checked his indignation; and knowing Lewis

* Codex vatic. l. 3. epiſt. 6.

and

and the Queen his conſort to be entirely for Thomas and the ſupreme pontiff, he thought it beſt to ſubmit †, embraced the archbiſhop, and received his bleſſing.

This apparent ſerenity was, however, ſoon terminated by a violent tempeſt. The perverſe prelate, before he ſet out for England, iſſued a freſh excommunication, not only againſt the biſhops who had ſigned the *royal cuſtoms*, but likewiſe againſt all who had aſſiſted at young Henry's coronation, as performed by the archbiſhop of York, which Thomas pretended to be an invaſion of the archbiſhop of Canterbury's right, who, in virtue of his ſuperior dignity, was to perform that ceremony.

The King, incenſed at ſo unexpected an outrage, exclaimed, *By God's eyes, if all who were preſent at my ſon's coronation are excommunicated, then ſo am I. How! Is there not one of my attendants that will rid*

† Henry, once ſo jealous of his prerogative on another occaſion, (ſtrange effect of adverſity on haughtineſs!) acknowledged himſelf vaſſal to the holy ſee. *I throw myſelf at your feet*, ſays he to Alexander, *asking your advice. The kingdom of England is under your juriſdiction; and as to feudal right, my tenure is from you alone. Let England now experience what the ſupreme pontiff can do; and ſince he does not make uſe of material weapons, be pleaſed to defend St. Peter's patrimony with the ſpiritual ſword.*

me of an ungrateful and rebellious prieſt, who ſets all my kingdom in a flame. On this four knights ſet out for Canterbury, and ſlew the pontiff at the altar's foot *.

No ſearch was made after the aſſaſſins. Rome pointed its reſentment at a more important object, fixing all the ſhame and horror of this murder on the Engliſh monarch, that, to avoid an excommunication, he was obliged to ſwear on the holy goſpels, that he had neither wiſhed nor ordered the aſſaſſination; he promiſed on oath to ſend two hundred knights to the defence of Paleſtine; aboliſhed the royal cuſtoms; allowed of appeals to Rome; engaged that all he had uſurped from the church of Canterbury ſhould be reſtored; and that the forms of canonical penance might not be totally omitted on this memorable occaſion, he ſubmitted to be thruſt out of the church door, where he received the abſolution on his knees, yet not in a penitential garb, and without being ſtripped and ſcourged, according to the cuſtom in ſuch caſes.

Anno 1174. But Henry alarmed at an irruption of the King of Scotland into England, and a powerful armament preparing

* Hiſt. quadrip. l. iii. c. 8, 11.

againſt

againſt him by his own ſon, in conjunction with the earl of Flanders, began to conſider theſe troubles as a juſt puniſhment of the aſſaſſination; and with a view of retrieving the eſteem of his ſubjects, he ſtooped to an act of contrition, more ſuitable to a penitent than becoming a monarch. Inſtead of the murderers, whom he had ſecreted above a year, and afterwards provided for their eſcape, he offered himſelf as a victim; and ſetting out from Normandy, clothed in ſackcloth, on his drawing near to Canterbury, he alighted, and walked bare-headed and bare-legged, to Becket's tomb, where, proſtrating himſelf, with his face cloſe to the ground, he begged forgiveneſs, and patiently received on his bare back ſeven laſhes from each biſhop, abbot, and monk, preſent at this extraordinary ceremony. The biſhop of London all the while, in an elaborate harangue, perſuading the people that the King was not the author, nor ſo much as an accomplice in the murder of Becket, and expatiating on his unparalleled humility.

This ſubmiſſion, however, anſwered Henry's purpoſe, and ſo endeared him to his ſubjects, that they as it were ſtrove who ſhould be moſt forward with their ſupplies, and enabled him to raiſe a powerful army.

On Mourning Apparel.

Anno 1178. A LETTER of Peter *the Venerable* ſhews, that in the reign of Lewis VII. Spain's wearing black for mourning, was looked on as ſomething ſtrange. His words are theſe: *The good and learned Sidonius, biſhop of Auvergne, uſed to ridicule thoſe who went to a burial in white, and to a wedding in black; for they who followed the cuſtom of his time, mourned in black: and I myſelf, when in Spain, was amazed to find the like faſhion generally obſerved throughout all that country. A Spaniard, on the death of his wife, ſon, or father, immediately lays by his arms, his ſilk and motley coloured cloaths of all kinds, and puts on a coarſe black ſerge.* This looks as if that cuſtom did not then obtain, either in France or the other neighbouring kingdoms. What then might be the funereal colour in thoſe ancient times? Was it white, as in China? or blue, as in Turkey? mouſe colour, as in Peru? or yellow, as in Egypt? green, as in certain provinces mentioned by Rabelais? or violet, the preſent colour for Kings and cardinals? Of this the devout author ſays not a word; intending only to prove againſt St. Bernard, that the colour of cloaths is quite a point of indifference: and ſuch indeed were the moſt

moſt ſerious diſputes in thoſe ignorant ages: The white monks boaſted a higher perfection than others, in virtue of the colour of their veſture; whereas the black pretended to ſeniority, and could not bear that their juniors ſhould lay claim to any preference.

Impropriations of Tithes.

MANY have been the diſputes concerning the right of laymen to hold impropriated tithes. Mezerai thinks they were a part of their domain, a duty levied by the lords, as in ſome places, the tenth, in others the thirteenth, the fifteenth, or twentieth part *. Suffering themſelves to be perſuaded that ſuch tithes ought to be reſtored to the miniſters of the church, as belonging to them by a divine right, they gave the greater part to the Benedictine monks, who, by their ſervices to the ſtate, had acquired great regard among the nobility. Their monaſteries indeed were both inns, where travellers met with all the reliefs of the moſt cordial benevolence, and ſchools, where youth were trained up to knowlege and virtue. The order, grateful for theſe donations, appointed religious to officiate

* Tom. ii. part i. p. 677.

in ſuch churches, of which they received the tithes; and this being an excellent fund, without any other care or buſineſs than reaping, they were not wanting in proper meaſures for enlarging it. The regular canons likewiſe were not unmindful of themſelves in a juncture ſo favourable to the clergy; and ſtimulated by the allurement of an eaſy income, they took on themſelves the care of almoſt all the chapels which were not poſſeſſed by St. Benedict's fraternity, that very few remained to the ſecular prieſts. The monks, in the mean time, continues the ſame author, *gradually turned their backs on their diſcipline, and played ſhamefully looſe when out of their monaſteries. Hereupon the councils of Clermont and Poictiers enacted, that they ſhould deliver up their cures to the ſecular prieſts.* But this decree was not put in execution, and the religious kept poſſeſſion of their benefices till the year 1115, when the ſecond council of Lateran deprived them by a general conſtitution; with a reſerve, however, of the right of preſentation and tithes, on condition of their providing for the ſubſiſtence of the incumbents. The regular canons alone were excepted from this univerſal law; yet, leſt herding with the ruſticks might have an ill effect on their manners, the council laid them under an obligation of having a proper companion to converſe with. This colleague was only a

ſub-

ſubaltern under the nominal incumbent, who on account of his ſuperiority was called *prior*, and his benefice *priory*, though in reality only a ſimple cure or living. Several nobles, however, could not be brought to believe that they were obliged to reſtore the tithes to the eccleſiaſticks, and perſiſted in retaining them as patrimonial rights. Tho' the third council of Lateran durſt not peremptorily decide ſo critical a queſtion, it forbad the nobility, *at the peril of their ſouls*, to transfer the tythes they were poſſeſſed of to other laymen.

The ſame council affords a curious monument of eccleſiaſtical parade, even in an age which we look upon as very little better than barbarian. It enjoins, that the archbiſhops in their viſitations ſhall have no more than forty or fifty horſes; cardinals twenty-five; biſhops twenty or thirty; archdeacons ſeven; deans and their inferiors two. They are likewiſe forbidden to carry with them any hounds or hawks, to impoſe taxes or exactions on their clergy, nor to require from their curates, as the real incumbents were then termed, nothing beyond a frugal and modeſt entertainment. For, ſay the fathers of that council, we cannot bear that ſome of our brethren ſhall oblige their inferiors, by putting them to great charges in their viſits, to ſell the church ornaments, and to

laviſh away in an hour what would have comfortably maintained them for a whole year. If a biſhop ordains a prieſt or a deacon, without putting him into a fixed living, he is to furniſh him with a ſupport till provided with a benefice, unleſs he has a competency of his own. It was this aſſembly likewiſe, which firſt ordered, that on a diviſion among the cardinals, in the election of a pope, a candidate having two thirds of the votes, ſhould be acknowleged duly choſen.

Origin and Progreſs of French Poetry.

IN the reign of Lewis VII. may be dated the origin of the French poets who wrote in *Romance*, that is, in corrupt Roman, which was then become the common dialect. We indeed, at the very beginning of the monarchy, meet with verſifiers called *Bards*, who uſed to ſing the atchievements of illuſtrious * men, in concert with bagpipes. It is known to have been a cuſtom which exiſted down to the firſt Kings of the third race, not to engage, till ten or twelve ſtrong voices had, with all their might, chaunted out what was called

* Le Gendre Mœurs des Franc. p. 179.

Roland's

Roland's ſong. Hiſtory relates, that William the Conqueror, to animate his troops by the recital of that imaginary hero's feats, had it ſung three times at joining battle with his competitor for the Engliſh throne. But beſides the ruggedneſs of the bard's verſes, as only a coarſe jargon of the Tudeſque, the Gauliſh, and the Latin *, the French poetry made little progreſs in the Merovingian times. Under Charlemaine, who had both a ſtrong paſſion for it, and ſome genius for verſe, it began to bloſſom; but ſoon withering, fell into a kind of total oblivion, and remained thus neglected, till towards the beginning of the twelfth century.

* A curious monument of that peculiar dialect, is the oath taken by Lewis of Bavaria, to his brother Charles the Bald, never to forſake his intereſts: *Pro Deo amur, & pro chriſtian poblo, & noſtro coummun ſalvamento, diſt di in avant, in quant Deus ſavir & podir me dunat, ſi ſalvareio eiſt meon fradre Karlo, & in adjudha, & in eadhuna coſa, ſi cum om per dreit ſon fradre ſalvar diſt, in o quid ilimi altre ſi faret. Et ad Ludher null plaid numquam prindrai, qui meon vol eiſt meon fradre Karle, in damno ſit.* That is to ſay, *For the love of God, the good of the chriſtian people, and our common ſafety, from this day forward, as God gives me to know and to be able, I will defend this my brother Charles, and will aid him in every concern, as a man is by right bound to defend his brother in any wrong which another would do to him; and I will make no treaty with Lothario which is to the prejudice of my ſaid brother Charles.* Nithard l. iii. ad ann. 842.

The glory of its revival is due to Provence, which produced theſe feſtive geniuſes ſo famous by the names of *Trouverres* or *Troubadours*, inventors, *Conteurs*, relaters, *Chanteurs*, ſingers, minſtrels. The *Trouverres* were the real poets, both inventing the ſubjects, and putting them into verſe, and as ſuch the firſt who made the ear acquainted with the true beauties of rhyme *, which till then was placed indifferently at the beginning of the pauſe, or the end of the verſe; whereas they fixed it invariably where it now is. The *Conteurs* made proſe hiſtories and romances. The buſineſs of the *Chanteurs*, whoſe bare name denotes their employment, was to ſet the productions of the *Troubadours* to muſick, and perform them. The *Meneſtrels*, who are the more ancient, mention being made of them at the beginning of the eleventh century, accompanied the performances of the ſingers with their ſeveral inſtruments.

The compoſitions of the firſt *Trouverres* conſiſted of both ſad and merry: the former were called *lais*, the latter *ſoulas*, *paſtorals*, and *ſyrventes*, of which the laſt were medleys of praiſes and ſatires, particularly celebrating the victories gained over the infidels; *tenſons*; laſtly, *fabliaux*, and ſome dia-

* M. Parf. hiſt. du Theat. Fran. p. 3 & 4. du tom. i.

logues,

logues, to which thoſe times gave the name of comedies. All now remaining is the title of one of theſe laſt pieces, *The hereſy of the fathers* †, written by Anſelm Faydit, and a ridicule on the authors of the councils which had condemned the Albigenſes. The very papal legates were not ſpared, that they often courted the poets' favour, giving up to them the whole univerſe, except Rome; on which, however, amidſt all its blandiſhments and threatenings, the fabuliſts often exerciſed both their jocularity and indignation *.

Tenſons were ſhrewd and delicate queſtions on love and lovers; as, Which of two lovers ſhews the moſt love, he who is ſo jealous as to take umbrage at the leaſt thing, or he who has ſuch an opinion of his miſtreſs, as not ſo much as to ſee any juſt cauſe he may have for jealouſy? Theſe ingenious problems gave riſe to a thouſand agreeable flights, and the difference of opinions cauſed entertaining diſputes, known by the name of *Jeux-mi-partis*, divided games. Such altercations were brought before a ſociety of ladies, eminent both for birth, learning, and judgment, who tried the jealouſies and quarrels of lovers in der-

† M. Parf. hiſt. du Theat. Franc. du tom. i. p. 13.
* M. Font. hiſt. du Theat. Franc. p. 18.

nier reſort; and were ſtiled *la cour de l'amour, the love court.*

The *fabliaux*, which were amorous, and generally ſatirical ſtories, are the originals of Bocace's beſt tales. Some, however, were moral and allegoric. Such is the *romance of the Roſe*, the principal characters in which are *jealouſy*, *courteſy*, and *diſſimulation*. Such the *Tournament of Antichriſt*, a curious piece, conſiſting of a battle between the vices and virtues. In the ſame taſte is likewiſe that of *Richard de L'iſle*, in which *modeſty* and *bawdry* quarrel, and the latter, mad at the former's refuſing to bear her company, as apparently intimates, ſeizes her, and throws her from one of the Paris bridges into the Seine, where ſhe is drowned; *and from that time there has been no modeſty in Paris.*

The reception which the Troubadours and their aſſociates met with in France, is not to be expreſſed. It was the pride of all the nobility to have a company of them among their houſhold. Richard, ſurnamed *Cœur de Lion*, King of England, heaped favours on them. Lewis VII. not only entertained them very liberally at his court, but had a company of them in his retinue, when he ſet out for Paleſtine, as a ſolacement amidſt the many diſagreeable incidents naturally

naturally occurring in ſo long a voyage. They had free acceſs into palaces, and always met with princely entertainment.

Their gratuities were arms, clothes, horſes, and ſometimes even money. But to give a greater decorum to theſe recompences, ſays a celebrated modern †, the princeſſes and great ladies made no ſcruple to add their favours. Many a gentleman, with only half a lordſhip, by his gains as a roving *troubadour*, has returned and purchaſed the remainder. Yet was not intereſt always the motive which inſpired our firſt *trouverres*. It is the glory of the French muſes to have had counts and dukes, that is ſovereigns, for nurſlings, from their very commencement.

It muſt however be owned, that in France, as every where elſe, there have always been many verſifiers, and few poets. Among the moſt celebrated of the twelfth and thirteenth century, was Abelard, ſo famous for his genius and misfortunes, who wrote the hiſtory of his adventures in verſe; William le Court, and Alexander a Pariſian, who tranſlated into lines of twelve ſyllables a Latin poem, called The *Alexandriade*; and either from the name of the hero or tranſlator,

† M. Font. hiſt. du Theat. Fran. p. 6.

ſuch

ſuch metre has been ſince called *Alexandrine*; and one Hugues de Bercy, a monk, author of an ingenious, but moſt ſevere ſatire, in which no body was ſpared; and at the concluſion he brings in his very ſelf as properly figuring in ſuch company; and his performance he called *Bible*, as containing nothing but what was true.

It muſt not, however, be concealed, that this poetry, however admired in the cotemporary ages, was ſtill very defective; and it was not till the reign of St. Lewis that it began to put on a form of more correctneſs and elegance. Many of the nobility wrote ſongs, which, excepting the language, would do honour, even in ſo refined an age as ours; eſpecially thoſe which the Count de Champagne, who had conceived a paſſion for Queen Blanche, compoſed in praiſe of that princeſs, and had carved on the walls and the windows of his principal ſeat. They preſaged to France her confeſſed ſuperiority in that branch of poetry. Several of the Count's courtiers were poets of reputation, and often had meetings on literary ſubjects, he himſelf ſitting as preſident of the aſſembly, which may be looked on as the firſt French academy.

Poetry, under Philip the *Bold*, was in ſuch vogue, that the dancing and fencing maſters

maſters jointly did not outnumber the rhyming maſters. In the time of Philip the *Handſome*, John de Meſen put the finiſhing hand to the romance of the *Roſe*, begun forty years before by William de Loſis; a work equally eſteemed by foreigners and French, and, in ſome points, not inferior to the moſt admired productions of Greece and Rome. The reign of Charles IV. is famous for the inſtitution of the *Floral Games* at Toulouſe, ſo called from the prize for poetry being a gold violet, and a ſilver marigold.

Corbeil, cotemporary with Lewis XI. was the firſt who modelled our verſe into an eaſy and natural turn. Under Lewis XII. St. Gilais tranſlated the Odyſſey, the Æneid, and all Ovid's Epiſtles. Melin his ſon, who flouriſhed in the time of Francis I. is accounted the inventor of the madrigal; and his exquiſite talent at theſe compoſitions gave them ſuch a run, that for above a century a *belle* was never ſerenaded without a madrigal or two in praiſe of her charms. Two authors, who wrote in the ſame auſpicious reign *, are ſtill admired: Clement Marot,

* Among many other actions which proclaim Francis's adequateneſs to his high ſtation, the following is not the leaſt remarkable. The Chancellor du Prat becoming a widower, entered into the church with a view of increaſing his wealth. He made haſty ſtrides to an archbiſhopric and the cardinalate, that, on the demiſe

Marot, ſo celebrated for his eclogues, elegies, epigrams, and epitaphs, performances till then unknown in our language; and Joachim du Bellay, who revived the ſonnet, and ſettled its rules, after being totally grown out of uſe during ſeveral centuries.

The reign of Henry II. ſays Paſquier, *ſeemed that of the Muſes*; then it was that ſhone *Tiart, des Autels, Demiſot, Paſſerat*, and many others not leſs illuſtrious. *I myſelf*, continues the learned author, *put out my Monophilus, and a kind reception has it met with. Every one had his miſtreſs, whom he magnified; and every one promiſed himſelf his verſes would throw open the gates of immortality to him; whereas ſome have ſurvived their books.* But of all the poets at that period, the moſt celebrated were Belleau, whoſe charming paſtorals are the unrivalled ſtandard of that branch of poeſy; and Ronſard, the father of the French ode. Pibrac, author of the *Quatrains*, which are in every body's hands, diſtinguiſhed himſelf under Henry III. by his ſententious poetry, Deſportes by the

demiſe of Clement VII. he intimated to Francis that he had ſome thoughts of putting in for the papacy; the King anſwering, that it would coſt too much, he replied, "I have four hundred thouſand crowns ready "for it." Francis, deteſting ſuch rapacity and avarice, had the four hundred thouſand crowns ſeized, and ſent to the treaſury.

gallantry

gallantry of his muſe, and Bertaut by a plain, eaſy, and natural diction.

The age of heroes is commonly that of geniuſes. Under Henry the Great appeared the immortal Malherbe, who of all our wits has moſt contributed to the purity of the language, and the juſtneſs of our poetry. It is related of him, that, when on his death-bed, his nurſe ſpeaking improperly, he reprimanded her with ſome acrimony; and the prieſt intimating that his condition required thoughts of another kind, he ſaid, *I will ſtand up for the purity of the French language to the laſt gaſp.* The reign of Lewis XIII. ſaw the ſublime Racan, the jocund Theophile, the poignant Mainard, and the elegant Voiture. Under Lewis XIV. Benſerade excelled in madrigals and love-verſes, Boileau in ſatire, Corneille, Racine, and Moliere in the drama, and La Fontaine in tales and fables.

Such was the ſtate of wit under Lewis VII. * and ſuch its progreſſes till the eighteenth century.

Inveſtitures.

* Lewis, on his acceſſion, iſſued three edicts; one condemning heretics to be burned; blaſphemers to be thrown alive into a pond or river; and buffoons and ſtage-players to be baniſhed the kingdom. "Whereas," ſays the benevolent Rigord, "we have known princes

"give

Inveſtitures.

INveſtitures to churches were frequently performed by the benefactor's laying a knife on the altar of the church to which he transferred any land or other poſſeſſion. This ceremony implied a full power of pulling down, cutting and reaping; and every other act of abſolute property. The knife, however, was not the only ſymbol of confirmation, or rather every country had its reſpective uſages, of which the moſt remarkable were to depoſite on the altar, or deliver into the hands of the chief eccleſiaſtic of the church or monaſtery, a turf, a bunch of herbs, a bough of a tree, a ſtick, a piece of wood, a pitcher of ſea-water, a bible, a chalice, a croſier, a chandelier, a lock of human hair, a key, a glove, a leathern ſtrap, a denier, a purſe, ſome grains of incenſe, a miſſal, a piece of linen, a hammer, a gauntlet, a handkerchief, a book of martyrs, a loaf, a cup, or ſome ſuch thing, and al-

" give rhymers, only for a week of their traſh, ſuits " of rich garments curiouſly embroidered, ſo as to coſt " twenty or thirty ſilver marks; *a ſum which would* " *have comfortably maintained twenty or thirty poor* " *wretches a whole twelvemonth.*" *Rigord apud Duch.* t. 9. p. 21.—Lewis, in conſideration of his virtues, was buried in all his royal veſtments; and Charles IX. having, from curioſity, cauſed the tomb to be opened, the body was found entire, with a gold croſs at the neck, and ſeveral large rings on the fingers."

ways

ways rather common than curious or valuable; and the ceremony uſually concluded with oſculation; but, in the caſe of a benefactreſs, a gentleman was ſubſtituted to receive the lady's kiſs, neither decency nor diſcipline admitting of it in an eccleſiaſtic.

A like diverſity is ſeen in the inveſtitures of principalities, benefices, dignities, and fiefs. That of the kingdom was, under the firſt race, performed by the delivery of a ſpear; under the ſecond, of the crown and regalia; and under the third, of the ſword, the ſceptre, and the *hand of juſtice* *: that of biſhoprics and abbies, by the ring and croſier: that of dukedoms and other great dignities, by a ſtandard, a ſword, or a gold circlet: that of ordinary fiefs, by a ſword, a helmet, a goblet, a pair of ſpurs, a curry-comb, a bow, an arrow, a gauntlet, a ſpit.

Be it here obſerved, that fiefs of every kind were ſubject to homage, as the band of union between the lord and the vaſſal, the latter promiſing to *keep his faith in all things right and neceſſary*; the former, by his obligation *to maintain and defend his tenant in his ſeiſin againſt all perſons: for the lord is as much bound to his man as the man to his lord, except only in point of reverence.* Homage was of three kinds: *ordinary*, in virtue of

* An ivory ſceptre with an hand at the top.

which

which the vaſſal owed *fealty*, *juſtice*, and *ſervice*; that is, to be duly preſent at the lord's aſſizes or proceſſes, to aſſiſt him with his advice in the adminiſtration of juſtice, and follow him in his military expeditions: *ſimple*, which required no oath, and admitted of exceptions: and laſtly, the *liege*, by which the vaſſal was to ſerve the lord paramount againſt *any living creature*. Such was the homage which the kings of England paid to the French monarchs as the crown's feudatories. *We acknowledge*, ſays Edward III. *that the homage done by us at Amiens to the King of France is liege, and ſo to be underſtood, and that we are bound to bear truth and loyalty to him* *.

Homage of body was that of a villain to the lord of the manor, and by which he could not marry out of his condition without his lord's licence, under ſuch a mulct as the lord ſhould impoſe. The lords, at granting ſuch licences, uſed to agree that the iſſue of ſuch marriages ſhould be equally divided. *We certify*, ſays an archbiſhop of Paris, *that we allow Odeline our bond-woman to marry Bertrand, a bond-man to the church of St. Germain-des-prez, on condition that the boys and girls engendered by ſuch marriage ſhall belong, half to us, and half to the abbot of the*

* Froiſſart, tom. i. c. 15.

ſaid

ſaid monaſtery †. So wretched, ſo abject was then the condition of villainage or *main morte! If any one's villain*, ſay the Jeruſalem aſſizes, chap. 270. *marries a female villain of another place without order from her lord, the man's lord ſhall in return give to the woman's lord another of the like age, according to the judgment of ſubſtantial and creditable perſons; and in caſe no female villain be found for an equivalent, he ſhall give him the beſt marriageable villain he has.*

The homage for a fief was performed kneeling and bare-headed, without ſword or ſpurs on, and holding the hands between thoſe of the lord, who ſat covered. The uſual form was thus: *I become your man from this day forward, in life, limb, and earthly honour, and to you will be faithful and loyal*, and bear you duty *for the tenements which I acknowledge* to hold of you, *ſave the duty which I owe to our lord the King*. But a lady did not ſay, *I become your woman*, it being unſeemly for a woman to ſay that ſhe will become woman to any man, except to her baron as being married; ſhe is therefore to ſay, *I do you homage, and will be faithful and loyal to you*, and bear you true duty *for the tenements which I hold of you*. The King of England, as duke of Guyenne, ſays

† Apud Bril. l. 2. Hiſt. Paris.

Edward III. ſhall hold his hands between thoſe of the King of France, and he who is to ſpeak for the King of France, ſhall addreſs the King of England in theſe words, and ſay thus: *you become liegeman to the King of France, and promiſe to bear to him faith and loyalty, ſay yea*, and the ſaid King and his ſucceſſors, dukes of Guienne, ſhall accordingly ſay, *yea*. Then the King ſhall admit the ſaid King of England, and duke to the ſaid liege homage, of word and mouth, that is the kiſs. This laſt favour was granted only as a regard to nobility of lineage, and not in conſideration of any fief whatever.

All vaſſals were not under like ſubjections. Some were bound to *pleige* or *plejure: and* ſays an Engliſh author, an inſtance of this you may have ſeen in that the King of France being taken priſoner, it was ordered that ſeveral noble barons, who were his men, ſhould go over to England and keep priſon in his ſtead; others obliged themſelves to *ſerve with their own body*, or to be champions to the lord, and fight for him, *when accuſed in a caſe to be decided by gage of battle*. It may however, be ſaid in general, that every feudatory owed faith and loyalty, reverence, counſel and aid. To lay hands on one's lord, or ſuffer ſuch an outrage, to counſel any one contrary to his liking or intereſt, to ſollicit or plead againſt his intereſt, to carry

arms

arms againſt him, to do an injury or affront to any of his family, is, by the *Aſſiſes de Jeruſalem*, declared a violation of duty.

Expulſion of the Jews.

THE Jews were ſaid to have got above a third of the wealth of the kingdom into their hands by extortionate loans: a circumſtance utterly incredible, were they not likewiſe known to have been powerfully ſupported by the great lords. Emboldened by ſuch protection, they frequently compelled an inſolvent debtor to ſell his liberty, and become their ſlave. Philip, compaſſionating the miſery of his ſubjects, conſulted a hermit of high repute for ſanctity, who, from his flaming zeal, at once adviſed the ſpeedy expulſion of ſuch blood-ſuckers. The young King accordingly iſſued an edict that the Jews ſhould quit his dominions within three months. Their immoveables were confiſcated, their laws declared illegal, and the French diſcharged from all contracts and obligations, paying to the monarch a fifth of the debt; their caſh and moveables were left to them, but with a very ſhort time for removing; after which they became plunder, and all their ſynagogues were to be turned into churches. *Anno* 1181.

Various were the opinions concerning this procedure and its motives. Some thought it manifeſtly unjuſt to ſtrip a wretched people without any enquiry into the charge alledged againſt them; to others, ſuch an emigration appeared a great detriment to the kingdom, as thinning its inhabitants. Some ſaid that allowing the Jews to carry away their money, plate and jewels, was impoveriſhing the ſtate, of whoſe wealth they had ingroſſed ſo conſiderable a part: others openly aſſerted that lenders, far from being pernicious in a monarchy, are often uſeful, and ſometimes even neceſſary, the government keeping a watchful eye againſt abuſes. The great eſpecially, that is, according to Rigord, *the counts, the barons, the archbiſhops, and the biſhops*, perverted by gifts, laboured hard in behalf of the proſcribed, but neither promiſes nor petitions could bring the young monarch to relent. The impreſſion which the many frightful ſtories told him of the Jewiſh people in his childhood remained ſtill ſo ſtrong as to biaſs him, and the only alternative left them, was to quit France or abjure Judaiſm; but very few choſe the latter.

Origin of the Right of Elderſhip.

JEOFFREY, duke of Bretagne, ordered in the aſſembly, called *Count Geoffrey's aſſiſe*, that *baronies* and *knighthoods* ſhould belong ſolely to the eldeſt ſon, allowing their younger brothers a maintenance ſuitable to their birth, and the value of the lands. This allowance at firſt depended on the elder brother, with the opinion of the neareſt relations; but it was afterwards fixed at one third. The gentry, as vying in generoſity with the barons, moved to be included in that law, which thus became general for the whole nobility of that province. *It ſeems a very ſtrange thing*, ſays Paſquier, *that being all children of one father, one ſhall be advantaged to the diſadvantage of all the other.* And never would our firſt anceſtors hear of introducing ſuch a cuſtom into this monarchy, as iniquitous, cruel and unnatural. But at length, ſay ſome, the intereſt of the ſtate has prevailed over the ſcruples and prepoſſeſſions of paternal fondneſs. *It is highly fit*, continues the above learned lawyer, *that among a claſs deſtined for the profeſſion of arms, as the nobility are, one ſhould have a larger portion than the others, that he may the longer ſupport the expence of a long war:* a reaſon more plauſible at thoſe *Anno* 1180.

times, when every gentleman made war at his own charge, than now when all are paid by the Sovereign. I ſay plauſible; for the younger are equally deſtined for the ſervice, and the law, by enabling the one to make a greater figure, reduced three or four ſubjects under an impoſſibility of anſwering their deſtination. But it will be ſaid, *the younger having nothing to rely on but their behaviour, expoſe themſelves the more boldly, ſo that they may be taken notice of and preferred.* Some younger brothers indeed have made their way to the higheſt poſts by pure merit, while the eldeſt has lounged away life at his ſeat, without promotion or eſteem; but is it from thence to be inferred, that a man may lawfully deprive you of your property, under the ſpecious pretence of reducing you to a neceſſity of exerting your talents.

However it be, this cuſtom which got footing from the model of the ſucceſſion to the crown, ever the peculiar portion of the eldeſt, was in certain places carried ſo far as to produce a neceſſity of ſome temperaments in favour of the younger, as being extremely injured. One of the principal, and perhaps the moſt ancient, was, that the younger ſhould ſhare in the fief, and in the tenure of their parts be equally noble with the eldeſt, as his *peers*; this is what was called *Frerage* and *franc Parage*. The

firſt-

firſt-born, till the failure of the *Parage*, which was in the fourth, fifth, or ſixth degree, was ſecurity to the lord paramount for his younger brothers, as under his homage, diſcharged them from fines and redemptions, and exempted them from the common feudal dues, as gloves, hawk's bells, ſpurs.

This diſpoſition was at firſt held to be intirely advantageous to the lords, as increaſing the number of their vaſſals; but it ſoon appeared very prejudicial to them, extinguiſhing, in ſome meaſure, their immediate dependencies.

A remonſtrance of theſe improprieties as injurious produced the famous ordinance of Philip Auguſtus: that, on the diviſion of a fief, all the ſeveral proprietors ſhall hold ſolely and in chief of the lord whoſe dependency the fief was, before ſuch diviſion. But this regulation, relating only to the lands of the barons who had moved for it, was not univerſally obſerved, ſome provinces adhering to the antient law, by which the younger had the option of holding either from the lord paramount or their elder brother.

Pious Fraud. Fanatical Aſſociation.

Anno 1185. ABOUT this time, an army of banditti, of various nations, ravaged Aquitane with ſuch cruelty, that the following cuſtom, duly obſerved in that country, had been intermitted. The princes and barons, both natives and foreigners, with dealers in all ſorts of goods, uſed, on the feſtival of the aſſumption, to meet at Puy in Auvergne, where, beſides the expences of parade and banquetting, they beſtowed largeſſes and donations, to the very great advantage of the town and church. A canon, vexed that ſo lucrative a ſolemnity ſhould be impeded, concerted with a youth fit for his purpoſe both in beauty and acuteneſs: this youth was to be very ſplendidly dreſſed in reſemblance of the bleſſed virgin, and thus appear to a carpenter, named Durand, a man of a very good character, and ſo devout, that he was known to ſpend whole nights in the church. The canon and his inſtrument ſo contrived matters, that the ſuppoſititious virgin ſurpriſes Durant in the midſt of his nocturnal orizons, and after accoſting him with the moſt engaging ſweetneſs, enounces a divine order with ſuch an air of dignity, and in ſuch language, as left the artificer without

any

any doubt of the perſon ſpeaking to him, being really the mother of God.

Durand at day-break eagerly haſtened to inform the chief magiſtrate of his viſion and order; on which an aſſembly of the laity and clergy was convened in the church.

The canon, the projector of the device, being a man of elocution, roſe and expatiated on a revelation which he himſelf had dictated, and on the precious benignity of the queen of mercy, who, by her interceſſion with her ſon, had obtained peace for the world, and *threatened ſudden death to all who ſhould either refuſe or diſturb it, and perfect felicity to thoſe who promoted it.* Biſhops, nobles, all ranks, in thoſe ſimple times, liſted themſelves in the fraternity of a peace, firmly believed to have been brought from heaven by ſuch an auguſt meſſenger.

The brothers diſtinguiſhed themſelves by a white linen hood, and on their breaſt a lead or tin plate with theſe words: *Agnus Dei qui tollis peccata mundi, dona nobis pacem.* They were, *beſides great plaineſs in cloathing*, not to play at dice, nor to go to drinking houſes, not to utter a profane or obſcene word, nor to name *any part or member of God, or the virgin Mary, or of any ſaint below the navel.* All took an oath to extirpate

extirpate the Banditti, and other disturbers of the public peace. At their initiation they paid twelve deniers, which in two months amounted to four hundred thousand livres: a prodigious sum at that time.

The *chaperons*, i. e. *hoods*, as they were called, having intelligence that the Banditti were on a march towards Burgundy, flew to meet them, and in two successive actions slew twenty-six thousand. "Such a double "victory, says the cotemporary historian, "*so puffed up this lawless multitude, that* "*princes and lords were not to require any* "*thing from their subjects, under the pe-* "*nalty, forsooth, of their indignation*; that the "world was worse off with the *Chaperons*, "than with the very *Routiers*, as the Ban-"ditti were called;" but the latter soon after had their revenge, giving the *Chaperons* such a mortifying blow, that the fraternity was scarce heard of afterwards. Such is the fate of societies founded on superstition. They begin with credulity, they degenerate into fanaticism, and, at last, perish by arrogance and not seldom by their crimes.

Outrageous

Outrageous Speech of the Patriarch of Jeruſalem to Henry II. *King of England.*

THE chriſtians in Paleſtine weakened by two ſucceſſive defeats, and the loſs of *Jacob's Ford*, one of the moſt important places, had recourſe to the princes of Europe. The envoys, being the patriarch of Jeruſalem and the maſters of the Templers and Hoſpitallers, were received in France with every mark of regard, and their expences defrayed by order of Philip Auguſtus. His juvenile ardour prompted him to croiſe himſelf, but the earneſt remonſtrances of the great men diverting him from that ſtep, he only ſent ſome troops with a ſupply of money. All the ambaſſadors hopes now lay in the King of England, he having engaged to go in perſon as an expiation for the murder of Becket; but that prince, after many delays, told them that common prudence would not allow him to leave his dominions expoſed to the ambition of a young King as Philip, but he would give them fifty marks in ſilver. The patriarch arrogantly made anſwer: *We are not come from ſo far for gold and ſilver, but for a man, who with gold and ſilver, will carry on a war effectually, and to a good purpoſe. You forſake God's cauſe, and God will forſake you: dread, I tell you, the revenge* *Anno* 1184.

revenge due to your enormous crimes, both againſt your Sovereign the King of France, whoſe countries you are continually annoying, and againſt the author of religion, as murdering his miniſters. Ay, you may fume and flame, for he perceived Henry reddening with indignation: *think you that I value all that brutal fury which my telling you the truth kindles in your wicked ſoul? To die in England by your hands, is the ſame thing to me as to die in Syria by the hands of the Saracens, whoſe impiety and perfidy you equal, or rather exceed.* The patriarch, in return for ſuch inſolence, was diſmiſſed without the general whom he aſked, or even the ſupply which had been offered him *.

The real Croſs taken. Mahometan Cuſtom towards Priſoners.

Anno 1185. THUS fluctuating was the ſtate of affairs in Paleſtine, when Arnaud de Chatillon, contrary to the ſuſpenſion of arms, between Saladin and Guy de Luſignan King of Cyprus, though ſolemnly confirmed by oath, ſeized on a caravan going from Egypt to Arabia, and ordered all the paſſengers to be fettered. Saladin, on this breach of public faith, im-

* Chron. Joan. Brompton.

mediately

mediately ſent to demand their releaſement, but inſtead of a compliance, was anſwered only by invectives againſt Mahomet; at which, the incenſed Sultan calling on God to bear witneſs to ſuch perfidy, vowed perpetual war againſt the chriſtians, and to kill Arnaud with his own hand, as the infractor of the armiſtice. Accordingly entering Paleſtine with an army of fifty thouſand men, he inveſted Tiberias. The place was ſoon carried by aſſault, but the citadel proved a more difficult work.

In the mean time, Guy de Luſignan the King, with all the princes of the kingdom of Jeruſalem, joining their forces, haſtened to its relief, and offered the Sultan battle. The action laſted two days, till the chriſtians overpowered and ſpent with fatigue and thirſt, were all killed on the ſpot or taken priſoners; and among the latter, the King, and Arnaud de Chatillon.

But the moſt important loſs was that of the real croſs, which, according to cuſtom, had been carried into the battle by the biſhop of Ptolemais, with a cope over his cuiraſs; but it was taken in the hands of an officer of the church of Jeruſalem, who, on the prelate's being killed, had ran to ſave it. The eaſtern chriſtians and ſchiſmatics lamented this capture with a grief equal to that of the

Latins

Latins; and the Infidels accounted it the moſt valuable fruits of the victory. Rigord, otherwiſe a very judicious hiſtorian gravely affirms, *that all chriſtian children, born ſince that diſaſter, had but twenty or two and twenty teeth, inſtead of their former number of thirty, or thirty-two*; and ſuch was the caſt of thoſe rude and ſuperſtitious ages, that the ſame author relates the following phænomenon with all the candor in the world, as an indubitable truth: *when I was at the monaſtery of Argenteuil, in a very clear night, a little before the dawn, the moon, which was then at its full, quitted the ſky and came down on the ground, as if to reſt awhile; and afterwards riſing with much gravity, reaſſumed the place which the Creator had appointed for it: of this ſeveral of our brothers were all the while eye-witneſſes, and from them I had it.*

The captive King, inſtead of the cruel death he expected, was treated with all the conſiderations paid to crowned heads. The victor himſelf preſented him a goblet of liquors cooled with ſnow; the monarch, after drinking, was for giving it to Chatillon, but Saladin held his hand; it was an inviolable cuſtom among the Muſſulmans, and is ſtill obſerved in Arabia, not to put to death any priſoners after giving them victuals or drink. *To thee, brave King,* ſaid the Sultan, *I preſented the refreſhment, and not to that accurſed*

man, who is not to expect his pardon but by embracing the doctrine of our holy prophet. Arnaud reſolutely anſwered, that no death nor tortures ſhould ever make him abjure the true religion. On which, Saladin, as fulfilling his vow, ſtruck him on the head with his ſabre, and his attendants ſoon made an end of him. All the knights Templers and Hoſpitallers underwent the like fate, as never giving quarter to Muſſulmen in peace or war.

The rout of the chriſtian army brought on the total overthrow of the kingdom. Moſt of the towns opened their gates without ſtanding a ſiege. Aſcalon was given up as the King's ranſom; and Jeruſalem itſelf held out but a fortnight. Queen Sibylla, the nobility and military men were allowed to go out armed, and the commonality to carry away their moveables on paying a compoſition. Such was the period, eighty-eight years after its foundation, of what was called the *kingdom of Jeruſalem*, or of the Eaſtern Latin chriſtians; a juſt puniſhment for the profligacy of its inhabitants, and the natural conſequence of their perpetual diſſentions.

Singular Croiſade. Foundation of the Inquiſition.

John.

Anno 1206. FRANCE was carrying every thing before it, and a campaign or two would have put an end to the Engliſh dominion in Guyenné, when Innocent III, ever watchful for extending the power of the keys, ſent a legate to propoſe a ſuſpenſion of arms between the two crowns, and his miniſter had the preſumption to threaten the party who ſhould object againſt his meſſage with the fulminations of the church. Philip immediately anſwered, that holding his kingdom only from God and his ſword, he ſhould not receive orders from the Pope. All the French lords warmly joined with him; all exhorted him at once to free France from a foreign dominion, and all ſwore they would ſupport him againſt the pontiff's encroachments: but ſuch was the ſuperſtition of the times, and the weakneſs of all ranks, that Philip did not think it adviſeable to break with the court of Rome; and a truce was concluded for two years, the barons of each kingdom being reciprocally guarantees.

The Pope's drift, in his earneſtneſs for a ceſſation of arms between the two Kings, was to pave the way for a ſpecies of a croiſade

croiſade till then unknown; not, as once, againſt the infidels of Aſia and Africa, but againſt French Chriſtians, infected indeed with fanaticiſm and many dangerous errors, and theſe daily ſpreading.

The church had enjoyed a perfect tranquillity for near two centuries, when Aimery de Chartres, a doctor of the univerſity of Paris, diſſeminated ſome very offenſive dogmas. This viſionary, who had more learning than was uſual in his time, advanced that paradiſe and hell were chimeras: that the pleaſure of rectitude was all our heaven, and all our hell, guilt and ignorance: that the love of the Holy Spirit had aboliſhed that of Jeſus Chriſt: that the ſoul of it was charity: and that its flame gave a ſanction to adultery itſelf. The hereſiarch being cited to Rome, was obliged to retract, and, though grief and ſhame ſhortened his life, the evil ended not with him. A council meeting at Paris, condemned to the ſtake all perſons convicted of holding ſuch maxims, ſparing only the women and ſome mean people, whoſe ignorance had been the more eaſily impoſed on. Aimery's corpſe was digged up, his bones burnt, and his aſhes hurled about in the air. A book was likewiſe committed to the flames, as the ſource from whence the doctor had drawn his impious ſubtilties: this was *Ariſtotle*'s *Metaphyſics*, which the

French at Conſtantinople had lately tranſmitted to their own country, and the reading or copying and even the keeping of it in one's houſe was prohibited, under penalty of excommunication. Aimery's followers, terrified at ſuch rigorous procedures, forſook houſe and relations, and went and incorporated themſelves with the Albigenſes. That was the name given to all ſectaries agreeing among themſelves to contemn the authority of the church, to oppoſe the uſe of the ſacraments, and ſet aſide the antient diſcipline. Under this general appellation were comprehended the Arians, who denied the divinity of Chriſt; the Manichees, who held two principles, one good, the other evil; the Vaudois, or the poor of Lion, whoſe only error at firſt was a veneration for inactive poverty, and a contempt of the clergy; the Petrobuſians and Henricians, who rejected the ſacraments, and all outward worſhip; the Apoſtolics, who boaſted that they alone were Chriſt's true myſtical body; the Politicians, who would not allow of any temporal dominion or juriſdiction in eccleſiaſtics; the Poplicans, or Publicans, who execrated baptiſm, the euchariſt, and marriage; the Patarins, whoſe characteriſtic doctrine was infamous; and the Catharians, who made profeſſion of a ſingular purity. Theſe were all called Albigenſes, either from the council of Albi's anathematiſing their

their errors, or from that city and its environs being particularly infected with them.

The ſketch of their doctrines and manners, as drawn by cotemporary authors, carries in it ſomething ſo abſurd and horrid, as almoſt to leave a ſuſpicion of exaggeration. The Albigenſes, ſay they, believed two Gods; one benevolent, the author of the New Teſtament, who had two wives, Collant and Colibant, and was the father of ſeveral children, among others of Chriſt and the devil; the other malevolent, ſanguinary, and deceitful, the inſtitutor of the old law, and who both perſecuted the patriarchs whilſt living, and had damned them all after their death. They likewiſe held two Chriſts: one all wickedneſs, born at Bethlehem, and crucified at Jeruſalem, and who *had a concubine called Mary Magdalen, noted for having been caught in adultery*: the other all goodneſs, inviſible, and who never dwelled in this world but ſpiritually, and then in the body of St. Paul. They ſaid that the church of Rome was the great whore ſpoken of in the Revelations; they accounted the ſacraments futilities, called marriage proſtitution, the euchariſt a chimera, the reſurrection a ridiculous tale, and the worſhip of images deteſtable idolatry. They had ſeveral orders, as the *Perfect*, the *Believers*, all profeſſing the higheſt purity, yet all im-

merſed in the vileſt ſenſualities, on this deteſtable principle, *That there is no ſin below the girdle.*

The vehemence of the ſectaries in propagating ſuch tenets rouzed the church's zeal. Pope Innocent appointed two Bernardine monks to try theſe miſcreants, with a power of excommunicating them, and, by the cenſures of the church, of compelling the lords and others to confiſcate their ſubſtance of any kind, to drive them out of their lands, and, when refractory, to put them to death. This was the firſt foundation of the inquiſition.

The croiſes ſoon increaſed to five hundred thouſand men, and the Count de Toulouſe being then chief of the Albigenſes, this multitude firſt fell on Beziers, his capital, which was carried at the firſt aſſault, and near ſeventy thouſand ſouls murdered in cold blood, without regard to age or ſex. It is ſaid that the croiſes, previouſly to the aſſault, conſulted the abbot de Citeaux what they ſhould do, as there was no diſtinguiſhing the catholics from the heretics. *Kill all,* anſwered the monk, *God knows his own.* So true it is, that no fire burns ſo fierce as that kindled at God's altar *.

* Rigard, p. 496. Hiſt. Albig. Zuch. tom. 5. Bollande 5. Mart. tom. 6.

The King of France loſes all the Crown Writings.

PHILIP and Richard being now more incenſed againſt each other than ever, *Anno* 1105. Hen. I.
the war was renewed in all its horrors, burning caſtles, cities, towns, villages, every where maſſacring the people without diſtinction, laying waſte the country, cutting down all the ſtanding corn, plucking up the vineyards, and deſtroying all the fruit trees. Philip narrowly eſcaped being taken by an ambuſcade; and not only his baggage, chapel, and military cheſt, but likewiſe his ſeal, and all the crown writings, which in thoſe times the kings always carried with them, fell into their hands. Theſe writings conſiſted of ſchedules of the tributes and impoſts; ſtates of the treaſury's revenues, of the rents and ſervices of vaſſals, of the privileges of ſome individuals, and payments from private perſons, together with liſts of all the villains and freemen belonging to the royal ſeats. This loſs was in ſome meaſure irreparable, the Engliſh ſoldiery having deſtroyed many of the inſtruments, and thoſe which came to Richard's hands he never would part with, expecting they might afford him ſome uſeful diſcoveries. The King, as the beſt expedient under ſuch a

misfortune, commiſſioned one Gautier to collect copies of theſe papers; and, by his diligent ſearch in libraries both public and private, he recovered the beſt part, and, it is ſaid, rather to the increaſe than diminution of the royal revenue. Theſe copies were firſt lodged in ſome private part of the palace, and afterwards removed to the Holy Chapel, built by St. Lewis, where they have remained under the care of an officer ſtiled *the Keeper of the Charter Treaſury*, and who is always the King's Attorney-General.

Agrandiſement of Eccleſiaſtical power at the Council of Lateran.

Hen. III.

Anno 1219. THE council of Lateran, ſo far from reſtoring the tranquillity of Languedoc, had cauſed the fire of diſcord to flame more violently than ever. Such a conduct opened the public eye to the preſumptuous attempts of the prieſthood, in aſſuming a right to diſpoſe of empires and principalities. Four hundred and twelve biſhops, together with eight hundred abbots and priors, and at their head Pope Innocent III. the patriarchs of Conſtantinople and Jeruſalem, and ſixty-one prelates or metropolitans, unanimouſly reſolved, "That the ſecular power ſhould "be bound, under penalty of excommuni-

"cation,

" cation, to promiſe on oath to exterminate " with all their power all perſons informed " againſt as heretics; enjoining the biſhops " to anathematiſe thoſe who did not obey, " reporting them to the ſovereign pontiff, " that he may diſcharge their vaſſals from " their oath of fealty, and expoſe *their lands* " *to the firſt Catholic who will take poſſeſſion* " *of them.*" This was only theory; now comes the praxis. The Count de Toulouſe with his ſon and the Counts de Foix and Comminges appeared before the council, claiming the reſtitution of his territories. Some biſhops interceded for him, and repreſented to the Pope, that this prince had ever been obedient to him, and had, at the firſt requiſition, delivered up all his fortified places: but, ſays an enthuſiaſtic writer, *Achitophel's counſel did not prevail*; and it was decreed, that as the catholic faith could not ſubſiſt in Languedoc whilſt that country was in Raymond's poſſeſſion, he deſerved to be for ever baniſhed; and that, with an allowance of eight hundred livres to be paid him annually, he ſhould go and mourn for his ſins where he could *.

The ſame decree gives away to Simon de Montfort the ſole property of Toulouſe, and all the countries conquered by the above-

* Conc. tom. 2. p. 142, 234.

mentioned croiſes; and thoſe which had not been conquered were to be kept in the church's name, in order to be ſettled on Raymond the younger, when of age, provided he appeared worthy of the whole, or only a part, as ſhould be thought moſt proper. This unfortunate ſon of a father ſtill more unfortunate was the handſomeſt prince of his time, beloved by the people to adoration, and, in the qualities of his mind and heart, worthy of the exalted fortune to which his birth called him, as derived from ſo many kings. Hiſtory informs us, that being admitted to an audience of Innocent, the pontiff, after giving him his bleſſing, ſaid theſe remarkable words to him: *Son, mind what I ſay: if you follow the advice I am going to give you, all will be well with you: love God preferably to any thing: never take what belongs to another, but defend your own property, if any one would deprive you of it. Holy Father*, anſwered the young prince with a noble compoſure, *you will not then be diſpleaſed if I do my utmoſt to recover my domains from the Count de Montfort. Whatever you go about*, replied the Pope, *God give you grace to make a good beginning, and a better ending.*

Ribauds,

Ribauds, *their King. Univerſity of Paris. Madman's Holiday. Invention of the Game of Cheſs.*

PHILIP-AUGUSTUS was the firſt of our kings who kept armies on foot in time of peace, that he might be always able to make himſelf feared by his neighbours, and reſpected by his ſubjects. To him France likewiſe owed what little improvements were made in the art of war. His attention and liberality in procuring able engineers contributed, above any other circumſtance, to the rapidity of his conqueſts. Under his reign, mention is made of a kind of ſoldiers called *Ribauds*, who ſeem not unlike what is now called the *Forlorn Hope* *. Theſe, according to Rigord, were reſolute fellows, particularly employed to head aſſaults, ſcaladoes, and in ſuch hot ſervices. Their exceſſive licentiouſneſs in time branded their name with infamy, that it was given to the noted debauchees of both ſexes.

The *Ribauds* had a chief with the title of King, according to a cuſtom of giving that auguſt ſtile to thoſe who had any command over others, as the *King of the Haberdaſhers*,

* A ſad corruption of the German *Verlohrne Hauffe*, i. e. the loſt corps, as the French ſay *les enfans perdus*, the loſt children.

the

the King of the Tanners, *the King of the Mimes*, *the King of the Minſtrels*. The King of the *Ribauds* had no *bouche at court* but only *ſix allowances of bread*, and a *horſe out of the ſtable*. His office was, *to be always without the gate*, to keep off thoſe who were not intitled to come in. All treſpaſſes within the verge of the court came ſo far under his cogniſance, that he determined the penalties; *the gold and ſilver in the delinquent's ſack* were for the provoſt; *his horſe*, *with its accoutrements*, went to the farriers; and *his cloathing* fell to the King of the *Ribauds*, who executed the ſentence. This theatrical monarch had likewiſe a juriſdiction over all gaming-tables, which followed the court in a royal progreſs. He likewiſe levied two ſols weekly *on all bordels*; and every woman convicted of adultery paid him five ſols, or forfeited her ſaddle. This officer's appellation was altered by Charles VI. to that of *Great Provoſt of the Hôtel*; but the office ſtill ſubſiſts to this day.

Philip's glory was not purely military; he diſtinguiſhed himſelf as the patron of arts and ſciences above all his predeceſſors. It appears from a letter of Pope Innocent III. that he intended an edifice with a proper income for the relief of diſabled officers and ſoldiers. His munificent patronage heightened the luſtre of the celebrated academy of Paris,

Paris, which, in the antiquity of its foundation, may be ſtiled the mother of all univerſities, the depoſitary of all ſciences, in the extent of its plan, and the very oracle even of pontiffs and councils in its ſuperior knowledge and judgment. Its high reputation cauſed a fabulous origin to be attributed to it, as if inſtituted by Charlemain; whereas the real epocha of its commencement was towards the cloſe of the reign of Lewis the Younger, and Peter Lombard may be accounted its founder. The firſt ſtatutes were drawn up under Philip-Auguſtus, and to St. Lewis it owes the title of Univerſity. In the twelfth century, beſides the canon and civil law, it taught philoſophy, medicine, and divinity. Never, ſays Rigord, were the ſchools of Athens and Thebes more frequented. Students of all countries reſorted thither, not ſo much on account of the pleaſantneſs of the place *, and the plenty of all things, as by reaſon of the privileges granted to the body and its ſtudents by the, perhaps indiſcreet, bounty of our kings. Of theſe the moſt remarkable were,

* Under Philip II. ſays Rigord, the old name of *Lutea*, was changed to that of *Paris*, as expreſſive, adds he, of the bravery of the French nation, or its deſcent from Priam by Francion ſon of Hector and nephew to Paris; the French having always affected to be thought of Trojan origin.

ſending

ſending deputies to the councils, an exemption from all contributions to the expenditures of the ſtate, and that its cauſes ſhould be cogniſable by the Provoſt of Paris, who plumed himſelf with the auguſt title of *Conſervator of the royal privileges of the univerſity of Paris.* The rector of the univerſity licenſed the preachers, and could ſuppreſs all preaching, if the ſermons were not of a turn to pleaſe him. He farther ſigned all treaties, and other public inſtruments. This amazing grandeur, the acquiſition of which was owing to taking advantages of the inteſtine commotions, gradually declined after the invaſion of the Engliſh, till the reign of Lewis XII. and ſo many improper and ill-gotten privileges came to a period, as our Kings proceeded in the re-aſſumption of their whole authority.

A ſpecimen of the manners of this age ſhews itſelf in the ſtrong oppoſitions againſt Eudes de Chilly, when he took in hand to aboliſh a cuſtom, both ridiculous and profane, yet allowed of till then in the cathedral of Paris, and ſeveral others. The capital called it *la fête des foux*, the madmen's holiday, and other places *la fête des innocents*, Innocents holiday. At Paris it was kept on Candlemas day, in ſome places on Epiphany, and in others on Innocents day. The clergy met, and having choſen a pope, and

and an archbiſhop, or a biſhop, and conducted him in great ſtate to the church, ruſhing tumultuouſly into it, maſked, and diſguiſed like women or buffoons, and even in the diſguiſe of beaſts, they fell to dancing and romping, and ſinging obſcene ſongs; the altar was turned into a buffet, guttling and guzzling, and playing at dice, during the celebration of the ſacred myſteries. Inſtead of incenſe, they burned the leather of their old ſandals, and run about the chancel, with all the indecent geſticulations and poſtures by which buffoons divert the low-thoughted populace. The devout Eudes iſſued an ordinance, forbidding this holiday, under the penalty of excommunication. If this cuſtom, as may be ſuppoſed, was diſcontinued for ſome time, it was not aboliſhed, being known to have ſubſiſted two hundred and forty years after.

This ſcandalous feſtival brings to mind another equally impious and mean, called *la fête des anes*, the aſſes holiday. The manner of celebrating it at Beauvais was thus: a young girl, the moſt beautiful in the town, being to perſonate the Bleſſed Virgin, was dreſſed out in rich attire, and ſeated on an aſs ſplendidly capariſoned, with a lovely child in her arms, and thus followed by the biſhop and clergy. In this manner ſhe went in proceſſion from the cathedral to the pa-

riſh

riſh church, where, being led up into the chancel, and placed alone at the goſpel ſide of the altar, maſs began. The *Introit*, the *Kyrie*, the *Gloria*, and the *Credo*, and every part ſung by the choir, concluded with this pretty chorus, *Hinham, Hinham.* The *Proſe*, a medley of Latin and French, ſet forth the animal's fine qualities, and every ſtanza ended with this ſoothing invitation,

Come, Jacky, come, gentle creature,
Of humour mild, and pretty feature,
Ope thy ſweet mouth, and ſing away,
And thou ſhalt have both oats and hay.

This beaſt (the whole aſſembly all devoutly kneeling) was afterwards exhorted to forget his former food, and employ himſelf in perpetually chanting *Amen, Amen.* The prieſt, inſtead of *Ite, miſſa eſt*, ſang three times, *Hinham, Hinham, Hinham*; and the people made the like reſponſe. To relate ſuch abſurdities gives pain, yet are they not to be omitted in a work of which cuſtoms and manners conſtitute the chief ſubject.

A ſtatute of the ſame Eudes de Sully forbids the clergy not only playing at cheſs, but *having a cheſs board in their houſes*; perhaps as too much engroſſing the attention, or becauſe they might thereby loſe what they could not afford to loſe, or at leaſt ſome of their

their ſuperabundance, which, by the principles of religion, is to be beſtowed on the poor. It is indeed ſcarce to be thought that he had any other motive, cheſs being of all games in which the mind alone acts, the moſt decent, the moſt combined, the moſt ingenious, and conſequently the moſt becoming a man who delights in thought and reflection. Some authors have judged fit to refer us to the ſiege of Troy for its origin. Princeſs Anne Comnenius, in her *Alexiad*, attributes the invention of it to the Aſſyrians; the Perſians and Chineſe allow that they had it from the Indians; and the circumſtances which gave birth to it deſerve ſome notice.

* In the beginning of the fifth century, there was in India a young prince, of great power, but haughty and imperious beyond expreſſion. It was intimated to him that the love of the ſubject made all the ſovereign's ſtrength and potency, but ſuch ſalutary advice coſt the honeſt authors their lives. A brachmin, to inculcate this truth into the royal mind, yet without expoſing himſelf to the ſame treatment, contrived the game of Cheſs †, in which the King, though the

* Mem. de l'Acad. des B. L. tom. v. p. 232.

† Or the *game of the King*. *Schack* in Perſian, *Scheck* in Arabic, ſignifies *King* or *Lord*. Thence *Checkmate*, from the Perſian *Schackmat*, *the King is taken*.

moſt

moſt important of all the pieces, can neither attack his enemies, nor ſo much as defend himſelf without the help of his ſoldiers and ſubjects. This monarch having, with all his ſeverity, excellent intellects, applied the artful leſſon to himſelf, altered his behaviour, and thus ſecured a happy reign. Senſible of the great benefit, he told the brachmin to chooſe his reward. He aſked as many grains of wheat as the ſquares on the cheſs-board would produce, doubling each, from the firſt to the ſixty-fourth. This was granted at a word; but on a calculation it appeared, that all the prince's treaſures and vaſt dominions would not anſwer the engagement under which his precipitate generoſity had laid him *. The brachmin then laid hold on this occaſion to repreſent to him how much it concerns Kings to be on their guard againſt thoſe about them, and take a ſtrict care that their beſt intentions be not abuſed. This tranſaction ſoon reached the moſt diſtant countries, and the noble game of cheſs ſpread from India into all parts of the civilized world.

* The ſum of theſe grains of corn has been eſtimated at 13,584 towns, with each 1024 granaries; in each granary 174,762 meaſures; and in each meaſure 32,768 grains. *Mem. de l'Acad. des B. L.* tom. v. p. 252.

Chivalry

Chivalry or Knighthood.

THE era of knighthood, as a political and military inſtitution, is but little earlier than the eleventh century. It was the higheſt dignity which a warrior could acquire. Antient writers make no difficulty of comparing its engagements to thoſe of the monaſtic order, and even of the prieſthood: ſome have preſumed to put it on a level with the prelacy, the firſt obligation of it being to defend religion, ſociety and the ſtate againſt all their enemies.

This honour, however, required long and rigorous trials, and a nobility of at leaſt three generations, both by father and mother; and the appointed age for admiſſion was twenty-one years, excepting princes of the blood, ſovereigns, and a perſon of very diſtinguiſhed merit. A young gentleman was, at the age of ſeven years, taken out of women's hands, and placed with ſome great baron or renowned knight, who had a houſhold and officers, like the court of a ſovereign prince. The firſt poſt was being a *page*, *damoiſeau* or *varlet*; an appellation at that time ſo far from implying any thing mean or diſgraceful, that young Alexis, though heir to the eaſtern empire, is termed only the *varlet of Conſtantinople*, not being at

that time a knight; and on the ſame account, Lewis king of Navarre, Philip count de Poitou, Charles count de la March, ſons of France, and other princes of the blood, are named *varlets*, in a ſtate of the houſhold of Philip the handſome.

Theſe pages, or *varlets*, attended on their maſters or miſtreſſes at all times, carried their meſſages, and waited at table. The firſt leſſons recommended to them were, *the love of God, and of the Ladies*. It was uſually women who took on themſelves the care of teaching them *their catechiſm, and the art of love*. The capital ſtudy in thoſe ſchools of politeneſs and courteſy, was to obſerve the deportment of the knights, as the model for acquiring thoſe external graces ſo neceſſary in the commerce of the world. The very games, which made a part of the young pupil's entertainment, contributed likewiſe to his improvement. The fondneſs for imitation, ſo natural to that age, prompted them to imitate their maſters in throwing a ſtone or a dart, defending a paſs, while others ſtrove to force it, and practiſing aſſaults, combats, and other manœuvres of war.

The youth, on the expiration of his ſervice as page, which was generally about the age of fourteen, was brought to church by his father and mother, who, each with a taper

taper in their hand, went up on each ſide of him to the offertory. The officiating prieſt then took from off the altar a ſword, and after ſeveral benedictions over it, girded it on the young candidate, who from that time wore it. He was then admitted among the eſquires; and theſe were divided into ſeveral claſſes, according to their ſtated functions, the principal being the body eſquire, the chamber eſquire, the carving eſquire, and the eſquire of the ſtable, who having the care of the horſes, trained them up for military ſervices, and under him were younger eſquires, whom he inſtructed in that exerciſe. The carving eſquire ſtood at meals and banquets, cutting up the ſeveral meats with the proper juſtneſs, ſkill and elegance, and directing the diſtribution of them among the gueſts. The chamber eſquire, or chamberlain, kept all the gold and ſilver plate for table uſes. The body eſquire, whoſe office related more particularly to his maſter's perſon, accompanied him almoſt every where; in the army carried his banner, cried the ſame lord's cry of arms, and on all ſolemnities performed the honours of the houſe. Other eſquires had the care of the pantry and wine cellar, prepared the tables, brought water for waſhing before and after meals, made ready every thing for the diverſions with which banquets uſually concluded; they afterwards

ſerved ſpiced cakes and ſweetmeats, clairet *, piment, hipocras and other drinks, and laſtly, conducted ſtrangers to their reſpective rooms, which they themſelves put in order.

Another function of the eſquires was to dreſs and undreſs their maſter, to hold his ſtirrup, to carry the ſeveral pieces of his armour, his braſſets, his gauntlets, his helmet, his ſhield, his pennon, his lance, his ſword, and laſtly, arm him in the beſt manner for the ſafety of his perſon; a point which required great ſkill and nicety, the ſucceſs and ſafety of the combatant depending not a little on the joining, rivetting and fixing the ſeveral pieces. When a knight engaged, the body eſquire ſtood behind him, carefully eyeing his maſter's motions, to ſupply him, in caſe of accident, with weapons, to parry the ſtrokes made at him, give him a freſh horſe, and receive any priſoners he committed to him in the heat of the action. But for theſe hazardous ſervices the eſquires underwent a long preparation of toilſome ſports, to give the body vigour, ſuppleneſs and activity, by running

* Clairet was a liquor made of wine and honey; pimento a compoſition of honey, ſpice and wine; and hipocras, wine with ſugar and cinnamon boiled in it; three liquors highly valued in thoſe days.

at the ring, tilting, and other equeſtrian exerciſes, and likewiſe viſiting thoſe countries where glory, arms and the ladies were moſt in requeſt. Theſe, among others, were the ſteps leading up to *the temple of honour*, as our forefathers ſtiled knighthood.

The ceremonies preliminary to the creation of a knight, were rigorous faſtings, ſpending whole nights in prayers in churches, with a prieſt and the godfathers, a ſtrict attention to ſermons explaining the chief articles of belief and practice, a ſincere confeſſion of all faults and vices, receiving the euchariſt, bathing ſeveral times, as expreſſive of the purity becoming knighthood, wearing white clothes, inſtead of the plain brown worn by the eſquires, a ſecond emblem of the ſpotleſs virtue required in the order. After theſe preparations, the novice was conducted into a church, with his ſword hanging down from his neck, and which he delivered to the officiating prieſt, who having bleſſed it, put it on him in the ſame manner: He then, with his hands joined, and in a plain, but neat and elegant dreſs, went and kneeled down before the lord or lady who was to arm him. Here he made a vow to ſpare neither life nor fortune in defending religion, making war againſt infidels, protecting orphans, widows, and

the helpleſs. On this, the lords, and ſometimes even the ladies, ſingle or married, of the higheſt rank, inveſted him with all the outward ſigns of knighthood, as the gilded ſpurs, the coat of mail, the cuiraſs, the braſſets, and the gauntlets. The ſovereign himſelf uſually put on the ſword and belt, then gave the candidate a pat on the cheek with the palm of his hand, or three ſtrokes with the flat of his ſword on the ſhoulder or neck, which was called the *accolade* or *accolée*, ſaying theſe or ſome ſuch words, *In the name of God, our Lady, and my Lord St. Dennis, I make thee knight.* Then the helmet and ſhield were delivered unto him, and an eſquire brought him a horſe, which he mounted, and often without the help of the ſtirrup; and now waving his lance, and brandiſhing his ſword, he caracoled a while before the company, by way of diſplaying his dexterity *.

The claſſes of knighthood at firſt were only two, the *bannerets* and *bachelors*. The third order, conſiſting of magiſtrates and

* All this parade was only in time of peace, and on account of ſome ſolemnity. The creations in war, either before a battle, to inſpire ſentiments above the common reach of human nature, or after, as rewards of glorious feats, had no ſuch ſhow and formalities. The king or general only gave the *accollade*, ſaying aloud, *In the name of God, of Saint Michael, and of Saint George, I make thee a knight.*

men

men of letters, and called *law* or *literary knights*, was not known till Francis I. This great prince, by conferring ſuch a diſtinction on ſcientifical eminence, intimated to the nobility that ſome of their eſteem ſhould be reſerved for qualities which conduce to the glory and happineſs of a ſtate equally with the military. This creation however, though ſo wiſe in its principle, produced an effect very contrary to the monarch's good intentions. The knights, who owed their creation to their martial atchievements, forgot that by the antient ſtatutes of their inſtitution they were to ſtudy the laws no leſs than military exerciſes, being to ſerve the ſovereign in his courts of juſtice, and his councils, as well as in his camp, would allow of no glory but what was gained by arms, and out of a ſtrange jealouſy, choſe rather the knighthood ſhould drop, than that gownſmen ſhould ſhare its honours.

The knight banneret, as the higheſt title of knighthood, was, beſides his unexceptionable nobility, to be of ſuch a fortune as to raiſe and maintain, at his own expence, fifty men at arms; a very great expence at that time, every man at arms being, beſides vaſſals, ſerved by two horſemen, one armed with a croſs-bow, and the other with a battle-ax. The name of *batchelor (bachelier* or *bas chevalier)* was given to him who

had not a ſufficient eſtate, nor vaſſals enough to furniſh ſuch a number of men. The diſtinctive privilege of the banneret was to carry a ſquare banner at the head of his lance, whereas that of the batchelor was lengthened into two points, like ſtreamers. A candidate for the title of *banneret* took the opportunity of a tournament, or rather of a battle, to preſent his pennon to the King or General, rolled up, who unfolded it, and cut off the tail, ſo as to make it ſquare; then delivering it to the knight, ſaid, *There is your banner, God grant you to maintain it.*

Another diſtinction of *bannerets* was the cry of arms, or war-cry, and a claim to the titles of Count, Baron, Marquis, and Duke. The *cry of arms* was a warlike ſhout uttered at the beginning, or in the heat of an action, by the leader, or all the ſoldiery at once, and generally in the form of an invocation, ſometimes as a motto, or expreſſing the family's title or arms. Such are thoſe ſhouts famous in our hiſtory, *Dieu le veut! Diex aie! Dame diex ait! Domine Deus adjuva! Paſſavant li meillor*, or *Paſſavant la Thibaut! Chaſtillon au noble Duc! Flandres au Lyon!* The war-cry, far from being common to all gentlemen, was a prerogative allowed only to the chiefs or commanders of corps, and in a camp there were as many cries as banners. That of the King, when commanding

ing in perſon, or of the General in his abſence, was the cry of the whole army, and uttered with the moſt animated chearfulneſs and effort at the inſtant of engaging. The cry of private nobles was only for help in an exigency, or to animate the men in maintaining the honour of their banner, or occaſionally as a ſignal for rallying. The cry of arms, together with the name and the whole arms, belonged only to the eldeſt of the family, that if the younger aſſumed it, they omitted or added a word. Of this inſtances are ſeen even in the royal family of France, whoſe cry was, *Montjoie St. Denis!* whereas the princes of the blood uſed, *Montjoie Anjou! Montjoie au noble Duc! Montjoie blanc epervier!* and the like.

Among the numberleſs diſtinctions of knighthood, ſome of the moſt remarkable are, that the knights, both in converſation and writings, were ſtiled *Don*, *Sire*, *Meſſire*, *Monſeigneur*; and the title of *Madame* was only given to their ſpouſes. No other perſons than knights were admitted to the King's table, not even his brothers, ſons, and nephews, till they had received all their arms, that is, were created knights. They alone had the privilege of carrying a banner, of wearing a breaſt-plate, a double coat of mail, the coat of arms, gold, vair, ermine, velvet, and ſcarlet; of having their effigy armed

armed *cap-a-pee* on their ſeal; laſtly, to put up a fane at the top of their houſes. This fane, for bare knights, was pointed like pennons; but for the bannerets, ſquare like banners. Knights in general, like ſoldiers among the Romans, were exempted from paying duty for whatever they bought for their own private uſe, and even from tolls and cuſtoms of all kinds. At the approach of a knight, every barrier, every caſtle, and every palace, was opened to do him honour. This regard for knighthood was ſometimes carried to ſcandalous exceſſes. A lady, to whoſe ſeat a knight came, made no ſcruple of ſending one of her damſels to keep him company *.

Such were the manners of thoſe ages ſo much cried up for decorum, virtue, and honour. That decent love, of which we have ſuch fine deſcriptions, was then ſo little known, that our romance writers and poets,

* According to theſe old French lines:

Appellez un ſoun (a) *pucelle,*
La plus courtoiſe et la plus belle,
A couſoil (b) *li dit, bel amie,*
Aller tot, ne vous ennuit mie,
Avec ſe Chevalier geſer (c).
. . . . . .
. . . . . .
Si le ſerver, s'il eſt meſtiers.

(a) Her. (b) At the ear. (c) lye.

in

in their eulogiums of noblemen who excelled in doing the honours of their houſe, attributed to them a complaiſance like that of the inhabitants along the Nile. In the ſolemnities at St. Denis, on the King of Navarre and his brother being created knights by Charles VI. licentiouſneſs, revelry and debauch, ſays one of our hiſtorians †, broke through all regard to the ſacredneſs of the place and the monarch's preſence, and adduces inſtances of the moſt abandoned profligacy in both ſexes. The ſame ſpirit of groſs lewdneſs runs through the old French poems; the moſt libidinous documents of love are interwoven with the moſt ſacred pictures and moſt fervent effuſions of religion. Are theſe the ages ſo vaunted? Who now will dare to hold up the ages of ignorance and barbariſm as patterns of behaviour and virtue?

But as the prerogatives of knighthood were thus ſplendid, the penalties inflicted on thoſe who diſgraced their order bore a proportional ignominy; being a kind of degradation, in ſome particulars ſimilar to that of the miniſters of the church. The condemned knight was firſt brought on a ſcaffold, where his coat of arms, and all the ſeveral pieces of his armour, were trampled

† Hiſt. de S. Den. ch. vii. p. 170.

upon

upon and broken before his eyes; his ſhield, with the blazon of it effaced, and the point upward, was tied to the tail of a mare *, and thus dragged along the ſtreets. Kings, heralds, purſuivants at arms, the executioners of the puniſhment joined in pouring forth againſt the delinquent the bittereſt invectives and imprecations. Some prieſts, after reading the office of the dead, pronounced over him all the curſes of Pſalm cviii. His name was aſked aloud three times, and repeated in the ſame manner, a herald each time ſaying, likewiſe with an audible voice, that it was no longer the name of him who was there kneeling; that he had forfeited it, being only a *traitor*, a *poltroon*, *falſe to his oath and honour:* and he then threw a baſon of hot water on his head, by way of effacing the ſacred character conferred by the *accollade*, or dubbing. After theſe infamatory ceremonies, he was drawn down from the ſcaffold by a rope under his arm, laid on a bier under a pall, and in this funereal ſtate carried to the church, where the office of the dead was again performed over him. Slender faults, but withal ſuch as reflected diſgrace, excluded a knight from the table of a companion; and on his pre-

* In thoſe times, to ride on a mare implied meanneſs or diſgrace. Accordingly it was the appointed travelling beaſt for commoners and degraded knights.

ſuming

ſuming to make his appearance there, any one might go and cut off the part of the table-cloth before him *.

Appanages. The Leproſy.

LEWIS VIII. after making proviſions in his will for his four ſons, condemns the fifth, and any that might be born afterwards, to the prieſthood; a ſtriking proof of the barbariſm of that age. To excuſe *Anno* 1226. Hen. III.

* In 1523, Captain Frauget, governor of Fontarabia, having ſcandalouſly given up the place to the Spaniards, was ſentenced to be degraded from his nobility, which was done in the following form. Being armed *cap-a-pee*, he was brought on a ſcaffold, where the ſentence declaring him a traitor and perjured ſcoundrel being read aloud, twelve prieſts ſitting, and in their ſurplices, began to ſing the burial office, at the end of each pſalm making a pauſe; during which, a herald at arms diveſted him of ſome pieces of his armour, calling out, *This is the coward's helmet, this his corſlet, this his ſhield.* On the concluſion of the laſt pſalm, a baſon of hot water was poured over his head; afterwards, being lowered down from the ſcaffold with a rope under his arm-pits, he was drawn on a hurdle, with a pall over him, to the church, where the twelve prieſts ſtanding round him, chaunted over the pſalm, *Deus laudem meam ne tacueris*, containing ſeveral execrations againſt traitors. He was then let go to live in contempt, no perſon of reputation, even amidſt the ties of conſanguinity, keeping up any familiar commerce with a degraded knight.

ſuch

ſuch a diſpoſition, from the fear of multiplying appanages, is frivolous. There is no compounding with heaven, as ſome would think; and never can polity preſcribe againſt religion. That is not the only reflection ariſing from Lewis's will; it farther ſhews the appanages, or portions of the ſons of France, to have indeed reverted to the crown on the failure of heirs, yet not reannexed to it on the ceſſation of the male line, as deſcending to the females.

The legacies left by that prince to two thouſand lazar-houſes in his kingdom, farther ſhew, that the leproſy, which was all the Chriſtians brought from their croiſades, raged at that time deplorably in France. The nature of this diſeaſe has long been a matter of conteſt, ſome believing it no other than the venereal; and what may have given riſe to this opinion is, that as a preſervative from this bane, ſome phyſicians have adviſed caſtration, and ſome caſuiſts have allowed of the expedient; but at preſent the moſt knowing of the former profeſſion are unanimous in affirming them to have been maladies very different. On being ſeized with this horrid diſtemper, it being extremely contagious, the patients were ſecluded from all intercourſe and company, and ſhut up in places at a conſiderable diſtance from any dwelling, yet always near the high-ways.

Any

Any one who happened to meet them fled from them with dread. They were even prohibited from entering into any contract without ſpecifying their diſtemper, that the omiſſion of this circumſtance vacated the inſtrument. The number of lepers increaſed to ſuch a degree, that there was ſcarce a city or town where it did not become neceſſary to provide an hoſpital for their reception. The liberalities of our kings, with thoſe of the great and other benevolent perſons, ſoon enriched theſe receptacles, that the lepers grew to be rather envied than pitied, till, through an avidity after their opulence, very horrid charges were brought againſt them, as having poiſoned the wells, ſprings, and rivers. There is an ordinance of this king for a replevege from the ſeizures he had cauſed to be made of the revenues of all the lazar-houſes in his kingdom. But, by more attention to cleanlineſs, or the conſequence of the uſe of linen, or rather both, that loathſome diſeaſe gradually abated, that now not the leaſt veſtige of it ſubſiſts in our climate.

The enormities alledged againſt the lepers ſhew that the depravity of our forefathers equalled, yea ſurpaſſed that againſt which the cenſors of our days inveigh with ſuch vehemence, as if unparalleled. Such eſpecially was the licentiouſneſs in our troops, that, according to *du Vigeois Memoires ſur l'Anc Chev. c.* 17. *p.* 232.

p. 232. the concubines in one of our armies amounted to fifteen hundred, with dreſſes and ornaments of immenſe value, that, adds he, they were often taken for ladies of quality, and the Queen herſelf deceived. In conformity to the cuſtom at church, of embracing one another on the prieſt's ſaying, *Pax Domini ſit ſemper vobiſcum* *, the good Queen affectionately embraced one of theſe creatures, taking her for a married woman of rank. Being afterwards informed of the perſon's character to whom ſhe had done that honour, ſhe made her complaint to the King, who iſſued an order againſt proſtitutes wearing the mantle, which thus became the diſtinguiſhing veſture of married women.

The relaxity of the laws at that time ſeemed to authoriſe ſuch libertiniſm. A very reſpectable perſon has aſſured me, that in the records of Beauvais cathedral he had read a paſſage which confirms that remark. A prebendary of that church having carried off a townſman's wife, he brought an action againſt the offender. The crime was notorious; all the neighbourhood depoſed in favour of the plaintiff; yet, after a *mature deliberation*, the judges ordered that *the raviſher ſhould return the woman within a fortnight*.

* Du Cange, at the words *oſculum pacis*.

Some

Some places, however, had infamatory penalties for looſe women. *It was formerly thought fit*, ſays Paſquier, *that ſuch kind-hearted females ſhould have ſome mark to diſtinguiſh them from the prudes*; *and this was a tag-lace at their left ſhoulder*; *a cuſtom which ſtill obtains at Toulon.* Another penalty for theſe wretches was, *to carry, with only their ſhifts on, two ſtones chained together, from one pariſh church to another*; and theſe chain-ſtones were carefully kept in all courts of juſtice. In a caſe of adultery, *a piece of pack-thread was tied to ſome part of the ſeducer's body, and thus ſhe was to lead him through every ſtreet in the town* *.

Eſtabliſhment of the order of Cordeliers; their extravagant traditions.

THIS year Pope Honorius III. confirmed the celebrated order of the *minor brothers*, ſo well known by the name of *Cordeliers*, from a thick cord being their girdle. Their firſt ſtatute was a renunciation of all property. The founder of this order was John Bernardon, a native of Aſſiza in Umbria, but ſurnamed *Francis*, from his faci- *Anno* 1223.

* Du Cange, at *lapis*, *lapides catenatos ferre*, *putagium*.

lity in learning French. He had no extraordinary intellects, and leſs learning, but diſtinguiſhed himſelf by mortification and humility. The preſident Henault ſays, that to him may very well be applied a poet's ſaying of Zeno, author of the Stoic ſect, *He taught to bear hunger and thirſt, and had diſciples.* Francis indeed had great numbers of every age and rank, and of both ſexes. He divided them into three claſſes; the celibatarians, who took the appellation of *minor brothers*; the ſecond of married men, who were called *the penitential brothers*; the third of widows; theſe in Italy were named *Povere Donné*, and in France *Clariſts*, from St. Clare, who dedicated herſelf to God under the ſaint's inſtruction. The whole ſociety has ſince received a very exalted name, for thoſe who at firſt would hear of no other than *minors*, the loweſt of all next to that of *minimes*. The occaſion of this acceſſion of honour to the order is thus related. St. Francis being once abſorbed in contemplation, ſuddenly ſaw a ſeraph having ſix luminous wings, and in the midſt of them the figure of a man, as on a croſs, rapidly deſcending from heaven. He, at the ſame time, felt and ſaw on his feet and hands the prints of nails, like thoſe on the Saviour's body, and on his right ſide was an orifice, as made by the ſtab of a ſpear, with blood oozing out of it. Theſe miraculous wounds

were

were termed *ſtigmas*, and he on whom they were made the *ſeraphic* man, an epithet ſince given in common to all his order.

So ſupernatural a favour, with the ſaint's virtue and miracles, and perhaps the ſelf-love and vanity of his children, for vanity inſinuates itſelf even into the heart of the devout, have given birth to that ſo famous romance *The Conformities of St. Francis with Jeſus Chriſt*, for what ſofter name ſhould be given to a book ſeriouſly recommending as celeſtial truths things which might be accounted blaſphemies, did not the enthuſiaſm, ſuperſtition, and ignorance of the age when they were publiſhed, ſtand as a palliative for ſuch extravagancies. It ſays *, *that this bleſſed patriarch, of whom Adam, Jacob, and Abraham, were repreſentatives, who was foretold by the prophets, promulgated by the Sybils, deſired by the ſouls of the juſt, impetrated by the Saviour, was ſet over all the Creator's works, to be the light of nations, the exemplar of evangelical perfection, the ark of the living God, the temple of all the virtues both of the Old and New Teſtament, the complete image of God incarnate, the model of his elect, the rule and meaſure of his love; in a word, the grace and truth of God, the rule which he has laid down to his diſciples in the*

* Liber conform. paſſim.

real book of life, the hope of salvation, the pledge of celestial glory, the marrow of the gospel, the path of the cross, the state of perfection, the key of paradise, the seal of the eternal covenant. The stigmas he received are said to raise him in some measure above Jesus Christ. *It was certainly something wonderful, that our Lord should have preserved his body three days from the corruption of the grave; but that St. Francis kept his bloody stigmas twelve years without putrefaction, was something still greater* †.

This book received the approbation of the seraphic order, in a general council.

Revolt of the university of Paris.

Hen. III.

Anno 1227. SOON after the return of Lewis IX. to his capital, a quarrel broke out; which proves that nothing should be slighted, as the smallest matters may have very great consequences. The scholars of the university of Paris, who, in those times, were all of an age at which it would now be a shame

† *Mirabile fuit Christum in triduo corpus suum integrum servasse: sed majus fuit in B. Francisco stigmata sua per duodecim annos sine putredine conservare.* Liber conform. c. 3. fol. 208.

not to be a doctor, frequently committed diſorders. Some of them having drank too freely at a wine-houſe in the ſuburb of Marceau, and quarrelling with their landlord, were roughly handled by the neighbours; but the next day returning in great numbers, with ſwords and ſticks, they maltreated all they met with, men and women. Complaint being made to the queen regent, a body of men were immediately diſpatched to chaſtiſe the authors of this outrage; and theſe fell on other ſcholars quite innocent, killed ſome, and very much beat and wounded others. The profeſſors now made their complaint, but without any ſatisfaction; on which they unanimouſly joined in an act of faculty, to intermit all lectures; and this not procuring them redreſs, they broke up and diſperſed, ſome to ſeveral cities in France, ſome to Spain and Italy, and many to England, where Henry III. readily granted them all the protection and ſecurity they deſired.

The pope ſtrove, both by intreaties and menaces, to bring the court to give them ſuch ſatisfaction as ſhould be ſettled by the biſhops whom he nominated; but the king, ſo far from paying any deference to his repreſentations, iſſued more ſevere edicts, which however made no impreſſion. In vain the legate and biſhop of Paris excom-

municated ſuch of theſe doctors, who took on them to make graduates of their own authority; in vain the provincial council at Sens diſcharged all the thunderbolts of the church againſt thoſe who perſiſted in the revolt. It was not till five years after that an accommodation was brought about. This ſtubborn haughtineſs had its foundation both in the protection of the popes, whom all ſchools at that time accounted their only heads, and in the numberleſs privileges granted by our indulgent kings to the ſeminaries of learning. Here may indeed be added, the great celebrity to which this univerſity had riſen, even in its infancy, that, according to Mezeray, it was ſtiled *the oracle and ſtanding council of the Gallican church.* It was ſoon after its return that the divinity or faculty, in one of its meetings, determined, that two benefices could not, with ſafety to the ſoul, be held at once, if one of them was of the yearly value of fifteen Paris livres; and the chancellor of the univerſity, and another, were the only two who declined giving up their pluralities. The former being on his death-bed, the biſhop paid him a viſit, and earneſtly exhorted him to diveſt himſelf of a load, which would drag him down to hell. *Well*, anſwered the dying perſon, *I will riſque the upſhot.* How many ſuch *riſques* in our days!

Arro-

Arrogance and ſeverity of a council held at Toulouſe.

Hen. III.

Anno 1230. A COUNCIL was held at Toulouſe, where, according to the cuſtom of thoſe times, the biſhops decided matters which did not in the leaſt lie within their province. The tremendous court of inquiſition was made perpetual, with an injunction to the biſhops for appointing a prieſt, and two or three laymen, in every pariſh, to make ſtrict ſearch and inquiry after heretics, and the favourers of them, not only in the houſes, *from the cellar to the loft*, but even in ſubterraneous places, where they might ſecrete themſelves; threatening the ſtewards with the moſt terrible penalties if they did not aſſiſt with all their power in theſe tyrannical executions; likewiſe confiſcating the eſtates of thoſe lords who ſhould allow heretics to ſettle in their lands. Voluntary converts are not to live in places ſuſpected of hereſy, but only in catholic towns; they are to wear on their breaſt two croſſes, one on the right, and the other on the left, of a colour different from their cloaths: they ſhall not be admitted to public employment, nor be capable of civil acts, as bequeathing, inheriting, and the like, without a particular diſpenſation from the pope, or his legate: others, who have returned into the unity of

the church only from fear, ſhall be ſentenced to perpetual impriſonment, there to be maintained by thoſe to whom the confiſcation of their ſubſtance and goods eſcheats. Every perſon, at the age of fourteen, ſhall promiſe to hold the catholic faith, and ſwear to report heretics; and this oath to be renewed every other year. No layman ſhall keep in his houſe the books of the Old and New Teſtament, but only the Pſalter and the Breviary, and theſe not tranſlated into the vulgar tongue. This is the firſt prohibition of ſuch a nature occurring in eccleſiaſtical hiſtory, and doubtleſs intended as a preſervative from abuſes of the holy ſcriptures. No new fortreſſes ſhall be built: thoſe which have been deſtroyed ſhall not be repaired; nor ſhall freſh tolls be levied. Barons, Caſtellans, knights, citizens, townſmen, or peaſants, ſhall not form or enter into any league, except againſt the enemies to the faith. Judges are to adminiſter juſtice gratis, and to publiſh the ſtatutes four times every year *. Theſe flagrant uſurpations of the prieſthood over royalty always raiſe aſtoniſhment; but ſtill more ſurpriſing is the kind of connivance in the princes, who either little acquainted with their rights, or perhaps too weak to aſſert them, were themſelves aſſiſting in the execution of ſuch improper and derogatory ordinances.

* Conc. tom. ii. p. 727.

Proceedings againſt the Jews.

Hen. III.

Anno 1252. LEWIS IX. iſſued a ſevere edict againſt the Jews, who were ſometimes expelled, afterwards recalled, yet ever the leaches of the ſtate. France and the neighbouring countries ſwarmed at that time with the refuſe of that people, and all ranks groaned under the preſſure of their extortions. The moſt deteſtable circumſtance was, that nobles granted them their protection. Indeed the wretches often purchaſed it very dear, and always on conditions detrimental both to their fortune and liberty.

It appears from many acts that both the perſon and effects of every Jew ſettled in the kingdom belonged to the baron of the place where he lived. He was prohibited by the law from changing his place of abode, without his maſter's permiſſion, who otherwiſe could fetch him back, like a runaway ſlave, even out of any of the royal demeſnes. This wretched people was even looked on as a commercial effect. They were ſold either with the land or ſeparately, for more or leſs according to number, qualifications, and other circumſtances. Matthew Paris ſays, that Henry III. king of England, ſold the Jews for ſome years to earl Richard his brother,

ther, *in order that the monarch having only ſkinned them, Richard might pluck out their very intrails.* The profits which the barons drew from them is ſcarce conceiveable. On any pecuniary exigency, they were threatened with expulſion; on which they brought in immenſe ſums: this was called *le benefice de reſtitution*, and was ſo conſiderable, that Charles II. king of Sicily, as a compenſation to himſelf for having baniſhed them out of the countries of Anjou and Maine, laid a hearth-money of three ſols on each houſe, and a poll-tax of ſix deniers on each of his chriſtian ſubjects living by his trade or occupation. Another article ſtill more ſingular is, that a Jew, *on converſion, incurred a total forfeiture.* The lord, or the king, then confiſcated his whole ſubſtance, and left him abſolutely deſtitute; as if the chriſtians, angry at his abjuration of impiety, were for making themſelves amends for the loſs of the taxes raiſed on him, by ſeizing every thing he had. A barbarous maxim truly! and though very pernicious in its conſequences, it ſubſiſted till the reign of Charles VI. that is about a century and a half from this period.

It muſt be obſerved, however, that this proſcribed people, though belonging to the barons, but unqueſtionably by royal grant, were more eſpecially the king's, and accordingly

ingly he had full power over them; " It " is my concern," ſays the ſame Lewis, " to keep an eye over the Jews, that they " ſhall not oppreſs the chriſtians by their " uſuries, and abuſe my protection to the " detriment of the kingdom." They had their own courts and judges, with a ſeal peculiar to them, likewiſe lands and houſes, and burial grounds without the town walls, and ſynagogues, but their ſervice was to be in a low voice, and without ſinging, under the penalty of three hundred livres. They were further obliged to wear ſome mark to be known by, which for women was a veil, covering their whole face, and for the men a yellow cap, or a round patch in ſome conſpicuous part of their upper garment, and any Jew, ſeen in public without this mark, forfeited ten livres, beſides his coat, which went to the informer. A chriſtian was not to have any dealings with the Jews, not to employ them as ſteward or domeſtic ſervant, not to hold any thing by leaſe of them, not to make uſe of them as a ſurgeon or phyſician, nor to take their children to nurſe. When giving a depoſition againſt a chriſtian, they were obliged *to ſwear by God's ten names*, with a ſtring of terrible imprecations, if they did not ſpeak the truth. " May " the Lord God," ſaid the clerk of the court to them, " ſend you both the ague and fe- " ver, if you ſwear falſely: may he deſtroy

" you

" you in his wrath, you, your family, and " all your ſubſtance: may your enemies " ſeize on your poſſeſſions, and abuſe your " wives: may the ſword of death, may " fear and trouble haunt you every where: " may the earth ſwallow you up, like Da- " than and Abiram: may all the treſpaſſes " of your fathers, and all the curſes con- " tained in the law of Moſes fall on your " head:" to all which theſe ſad objects of the public execration anſwered three times, *So be it.* A chriſtian convicted of a criminal commerce with a Jeweſs, was burned alive; *becauſe*, ſays an author, a worthy pupil of thoſe ignorant ages, *to defile one's ſelf with a Jeweſs is equal to the crime of beſtiality.*

Under all theſe ignominies and hardſhips, that reprobate generation continued flocking to France, that they gradually got its whole traffic into their hands; and under Philip Auguſtus, more than one half of Paris is ſaid to have been their property. That great prince ſaw no other remedy than to declare their debtors diſcharged, on paying a fifth of the debt into the treaſury, to ſeize on their immoveables, and expel them, as the bane of a ſtate. But being, ſixteen years after, under a neceſſity to recall them, he conceived that he had obviated all future abuſes, by the prudence and ſeverity of new regu-

regulations. Lewis VIII. however, ſoon ſaw himſelf obliged to iſſue a freſh ordinance, " That intereſt to them ſhould ceaſe; " that every debt, not demanded for five " years paſt, ſhould be extinguiſhed, and " the others paid into the hands of their " lords, at nine terms, of four months " each." And Lewis IX. in a convention of the barons, " prohibited the Jews uni- " verſally from loans of all kinds; allowed " their debtors three years term; and de- " clared void all bonds and obligatory writ- " ings which theſe uſurers had not laid be- " fore their lords within a twelvemonth " after their dates." The pious monarch, at the ſame time, forbad all uſury; and the great men of the kingdom ſwore, one and all, that they would ſtand by him againſt the infractors of that law.

Arbitrary procedure of biſhops.

Anno 1224. THE biſhops, among other ſtretches of the ſpiritual authority intruſted to them, imagined that for any petty temporal concern they had a right to lay their dioceſe under an interdict. On the ſlighteſt cauſe of complaint againſt the king or his officers, the churches were ſhut up, every religious office

Hen. III.

office ſuſpended, except baptiſm for infants and the ſacrament of penance for dying perſons. Sometimes, to ſtir up the rage of the people againſt thoſe by whom they pretended to be wronged, they would carry out of the churches the crucifixes, the ſacred veſſels, the ornaments and relicts *, and laying them down in the middle of a field, make an incloſure of thorns and briars round them, and thus depart. The ſuperſtition of the times, and the terror, which was the effect of it, cauſed them ſoon to be recalled, and on their own terms. The biſhop of Beauvais and the archbiſhop of Rouen proceeded nearly in this manner, on account of ſome privilege and juriſdiction purely temporal, excommunicating the king's officers, and intermitting divine ſervice throughout their whole province. This was very juſtly conſidered as an outrage which called for a ſpeedy check. Lewis IX. accordingly ſeized the temporalties; and after ſome years of ſcandal, the biſhops, tired of wanting the eſſential of their dignity, took off their cenſures; and it was on this occaſion that pope Gregory IX. granted the king a bull, exempting the royal chapels from all interdicts, threatening thoſe who aſſumed any ſuch authority with the indignation of the holy apoſtles St. Peter and St. Paul. This was a

* Du Cange, at the word *Reliquiæ*.

a very

a very conſiderable favour in thoſe times, when kings were ſo pliant as to put themſelves in want of it, and ſhows to what a pitch the juriſdiction of biſhops had riſen, and how troubleſome it was growing to the crown, laying it under a neceſſity of having recourſe to the popes, and thus furniſhing them with means for aggrandizing their authority, which was already much too formidable.

The wiſe monarch, *with all his ſanctity*, ſays father Daniel, *made it ever after a maxim, not to be carried away by a blind deference to the orders of eccleſiaſtics, knowing them to be ſubject to exceſſes of paſſion like other men.* In theſe affairs, he always ſcrupulouſly weighed what he on one ſide owed to religion, and on the other what equity and his ſubjects required of him. Of this the ingenuous Joinville, ſteward of his houſhold, relates an inſtance, which deſerves commemoration: "I one day ſaw," ſays this plain hiſtorian, "all the prelates of "France rendezvouſed at Paris, to ſpeak to "good St. Lewis, and aſk a boon of him. "Biſhop Guy was the ſpokeſman. Know, "Sire, that all theſe prelates now in your "preſence bad me tell you, that you ſuffer "the chriſtian religion to be trampled on, "and that in your hands it is going to ruin. "Hereupon our great maſter croſſed him-

"ſelf,

" ſelf, and ſaid, How ſo, biſhop? Tell
" me, by what means, and in what man-
" ner. Sire, returned the biſhop, becauſe
" no notice is taken of excommunicated
" perſons; and now-a-days a man would
" chuſe to die quite excommunicated, ra-
" ther than be abſolved; and thus no body
" will pay the church its dues: Where-
" fore, Sire, they all with one voice beg
" of you, for God's ſake, and becauſe it
" is what you ought to do, that you will be
" pleaſed to give orders to all your bailiffs,
" that, wherever any one is, who has been
" under continual excommunication a year
" and a day, that they compel him to have
" himſelf abſolved, or ſeize on his eſtate
" and effects. The holy man made an-
" ſwer, that concerning thoſe who had
" wronged the church, or their neighbour,
" he would very willingly give ſuch orders.
" The biſhop hereupon gave the king for
" anſwer, that it was not for him to take
" cogniſance of their cauſes. The king re-
" plied, that otherwiſe he would not do it;
" and ſaid, That neither God nor reaſon
" would allow him in compelling thoſe to
" get themſelves abſolved who had been
" aggrieved by the clergy, without hearing
" what they had to ſay in their own de-
" fence; and brought them the inſtance of
" the count de Bretagne, who after carrying
" on a proceſs with all the prelates of his

" county

" county for ſeven years, on a conteſt for
" which they had excommunicated him,
" has ſo far juſtified his conduct, that our
" holy father the Pope has decreed in his
" favour againſt all the prelates; that had
" I the firſt year gone about conſtraining
" him to have himſelf abſolved, I ſhould
" have greatly ſinned againſt God, and have
" injured my vaſſals. This anſwer of our
" holy King put a final ſtop to all ſuch re-
" queſts, and the excommunicated were
" e'en left to do as they would."

The Heiſſaſſins or Aſſaſſins, their origin, religion; and ſeveral habitations.

WHILST Lewis IX. thus ſecured the happineſs of his people by his courage, and advanced the glory of religion by his firmneſs, he was in great danger of his life without knowing it. The old *man of the mountain*, a name of ſuch formidable import in our old hiſtories, on a falſe rumour that Lewis was coming into the Levant with a terrible army, thought of taking off the commander, and there would be an end of the war; and ſent away two of his ſubjects to execute his inhuman decree; but it ſoon after occurring to him that fair and *Anno* 1238. Hen. III.

peaceable meaſures might be beſt, he diſpatched two emirs to adviſe the King of his danger.

Nothing is more confuſed, and ſometimes more contradictory than the accounts given, and even by the moſt able writers, of the names, the origin, the ſeveral habitations, the religion and manners of theſe people, every where ſo execrated for their aſſaſſinations. Some call them *Eſſenians* or *Eſſeans*, *Haſideans*, *Aſſanites* or *Aſſaſſinites*, *Hakeſins*, *Auquaſſins*, *Arſacides*; others give them the name of *Aſſaſſinians*, *Aſſaſſins*, *Aſſeſſins*, *Heiſſeſſins*, *Aſſiſins*: the laſt alone is right and comes from the Arabic verb *haſſa* to kill, the participle active of which is *haſis*, in the plural *haſiſin*, killers or aſſaſſins. It is not, however, to be thought that any ſuch appellation was uſed among themſelves, it was rather given them by their enemies the Chriſtians and Mahometans, both occaſionally falling victims to their barbarity. It was the ſame with that of *Molhidites*, heretics or *Kuregians*, revolters from the legal Iman; theſe were ſo many abuſive epithets expreſſing the contempt or abhorrence in which the true Muſſulmen held ſuch apoſtates. That of *Bathenians* illuminated pleaſed their vanity exceedingly, but that which they moſt generally adopted was *Iſmaelians*, as holding

holding the doctrine of Iſhmael, the ſon of Giaſar, which alone they accounted orthodox.

It is from the death of the latter, that is about the year 770 of our æra, that may be dated the origin of the ſect of theſe Iſmaelians. They agreed with their brethren the Perſian Mahometans, in admitting only Ali as firſt Iman after Mahomet, but differed about the ſucceſſion of the Imanſhip, that is of the ſovereignty both temporal and ſpiritual, and affirmed that dignity to have devolved to Iſhmael's deſcendants preferably to the collateral line. This new faction, at firſt, raiſed great diſturbances, and in its very birth, formed two branches, both very famous. One made itſelf maſter of Egypt towards the cloſe of the ninth century, and reigned there near three hundred years by the name of the *Iathimite Caliphs*; the other, that of the *Aſſaſſins*, ſettled in Aſia two hundred years later. It had at firſt erected a domain in Arabia, of which Hagiou, near the Perſian gulph was the capital; but being quickly after the death of the famous *Abou-Thahor* *, driven from this ſettlement, it remained

* Abou Thahor was chief of an Arabian ſect called Carparthians. He made war on the Mahometans, and even took the city of Mecca; killed 30,000 of the inhabitants, broke down the temple gate, filled up their

mained for the ſpace of above a century, diſperſed in Syria, Perſia and Egypt. Here it was that *Haſian-Sabah*, a man of parts, and expert in geometry and other ſciences, collected the remains of them; and a country inacceſſibly mountainous being the ſafeſt aſylum for this perſecuted tribe, he led them on the Gibal or Kouheſtan of Perſia. Thoſe of this ſame branch who ſtill dwelled in Arabian Irak, their native country, joined with the Dararioun and *Noſiairioun*, ſectaries profligate as themſelves, and uſed to ſettle in ſeveral parts of Libanus and Anti-Libanus. Their affinity to the new maſters of the Kouheſtan, the impoſſibility of ſtanding their ground without aſſiſtance, the conformity of opinions, every circumſtance determined to an entire coalition under one

famous well, called *Zemren*, with thouſands of corpſes, maſſacred 1700 pilgrims in the very ſanctuary of that moſque, and had his horſe brought into it merely to pollute it with its dung. He frequently ſaid to the Mahometans, *you are truly very wiſe folks to give the appellation of the houſe of God to this place; had God any regard to this ſame temple of yours, my profaning it in ſuch a manner would not have gone unpuniſhed; or rather, he would have prevented me by a thunder-bolt.* He carried away a certain black ſtone, which the Mahometans revered as a donative from heaven, with a view of drawing their pilgrimages into his country; but the reſort to Mecca continuing as before, the myſterious ſtone was returned, after keeping it for the ſpace of thirty two years. Abou Thahor died in 953, quiet poſſeſſor of a vaſt domaine.

chief.

chief. It was by orders of the ſovereign, who reſided in Perſia, or of his governor in Syria, that they committed theſe ſanguinary enormities ſo frequent in hiſtory.

It is likewiſe from this their mountainous abode, that the chief was, by our antient writers, termed *the old man of the mountains*, a name unknown to the orientals, who always call him *Scheik*, that is, lord, prince, ſovereign, and not *old man*, according to the ridiculous ſenſe given by moſt weſtern writers. The dominion of this redoubted Iman was very extenſive; it comprehended the countries along the ſouth of the Caſpian ſea from eaſt to weſt, the whole tract between Damaſcus and Antioch, together with many other provinces; but a power founded on ſuch devaſtations and carnage could not laſt long, and the whole nation was totally exterminated about the end of the thirteenth century.

The principal tenets of the *Iſmaelians* or *Aſſaſſins*, were the *metempſycoſis*, and the deſcent of the Holy Ghoſt in the perſon of their Imans. From this ſtrong perſuaſion of the latter ſprung a blind obedience, braving any kind of death with an intrepidity known only among them. Their chiefs are ſaid to have practiſed a moſt deteſtable policy; they had a private garden with every alluring

object in it; and thither the young men deſtined to be employed in their ſanguinary enterprizes were carried when laid into a profound ſleep by means of delicious potions, thus giving them as it were an anti-paſt of the fruitions of that paradiſe which they were ſolemnly promiſed as the reward of their exploits. Theſe lively aſſurances of ſuch felicities inſpired this ſelect band with a ready devotedneſs to their ſovereign's orders, that at his beck they ran with precipitate exultation to certain death, perſuaded that he who could feaſt them with ſuch delights on earth, was able to make them ſtill happier in heaven. Pepin's chronicle informs us, that Henry II. count of Champagne, was invited by the commander of the *Aſſaſſins* in Syria to a viſit, and coming near a tower of a prodigious height, the barbarian aſked him whether his ſubjects were ſo obedient as his, and without waiting the count's anſwer, made a ſign, on which three young men, cloathed in white*, haſtily threw themſelves down from the tower at their feet. When that ſavage tyrant was for ridding himſelf of any chriſtian or infidel potentate, theſe wretches uſed to go in diſguiſe to the proſcribed prince's court, and there wait an opportunity for perpetrating their de-

* White apparel ſeems to have been a point of legal obſervation among all theſe fanaticks.

ſign; and if they did not accompliſh it, dying in the attempt or returning ſafe to their maſter's court was indifferent to them: if they miſcarried, others were eager to replace them, but being equally artful and dexterous, they ſeldom miſſed their aim. They are repreſented in an heinous light for cruelty, drunkenneſs and debauchery, but martial and intrepid, even to a fanatical contempt of life. They are likewiſe charged with the inceſtuous cuſtom of the magi, who allowed of marrying a ſiſter, daughter or mother †.

The Crown of Thorns redeemed by Lewis IX. *ſolemn Reception of it.*

IT appears from ſeveral monuments, that this ſacred relique had from the beginning been preſerved with great veneration. Gregory de Tours, though without mentioning the place, ſays that it was to be ſeen in his time, and that the thorns remained ever freſh and green. The religious of St. Dennis had formerly boaſted that it was in their treaſury; but at length allowed that they had only a fragment of it, which Charles the bald had taken out of that holy Chapel at *Anno* 1238. Hist. III.

† Mem. de l'Acad. des belles lettres, tom. 17.

Aix, to which it had been given by Charlemain; but the authenticity of that of Conſtantinople no body queſtioned. It had been pledged to the Venetians and Genoeſe in conſideration of ſeveral loans, and at that time belonged, in ſome meaſure, to Nicholas Quirano, a Venetian noble, who was to carry it away into his conntry, if his diſburſements were not paid within a term of ſome months. The emperor Baldwin being unable to redeem it, and judging that it could not go into better hands than thoſe of Lewis, requeſted that he would allow him to make him a preſent of it. The pious monarch accepted the offer with expreſſible joy: Quirano was paid all his demands, and the holy crown brought into France, ſealed with the arms of the empire and thoſe of the republic of Venice.

The King, followed by all the court, and the ſeveral bodies of the clergy, went and received this precious relique at five leagues from Sens, and accompanied it to Paris, where, ſupported by his royal brothers, bare-footed and bare-headed, he carried it from Vincennes wood to the great church, and from thence to the palace, where it was depoſited in a chapel. The devout Lewis, ſome years after, likewiſe redeemed from the Venetians a piece of the real croſs which had been pledged to them by the emperor of Con-

Conſtantinople, the iron of the ſpear which pierced the Saviour's ſide, the ſpunge with which gall and vinegar were adminiſtered to him, and ſome other relicts which he received with like veneration, and laid in ſilver ſhrines inriched with gems. It muſt not be omitted that the King of England, ever a ſervile imitator, was not only for having reliques as Lewis had ſome, but would out-do him. He boaſted that he had ſome of Chriſt's blood in a phial, given him by the Templars, weakly taking their word for the reality of this preſent. It is entertaining that Matthew Paris, his hiſtorian, makes it matter of high praiſe to his ſovereign, that he had ſo precious a relique for nothing, when the King of France paid ſuch ſums for his, which had no other value. Nothing better characteriſes both the author and *h s nation*, together with the age in which he wrote.

Tournaments and Juſts.

LEWIS IX. who had ever a tender affection for his brothers, created them knights, *Anno* 1227. Hen. III.
and the ceremony was performed with a ſplendour ſcarce paralleled, and exerciſes and tournaments of all kinds.

The

The antiquity of these martial games, so long the favourite entertainment of our ancestors, is uncertain, but the terms of *French combats*, or *combat in the French way*, used by all foreigners when speaking of these noble exercises, prove beyond all doubt that they owe their origin to the French. Tournaments were their darling diversion; every thing was laid aside to go to them, and indeed every thing sold to figure at them. A gentleman was no farther thought of than as he had distinguished himself in these games; and his having been a combatant at them, was the most authentic proof to be given of his nobility. In the eyes of young persons a tournament was an honourable school where they formed themselves for war; men considered it as an occasion of gaining applause by their dexterity, and lovers as a means for acquiring the esteem of the fair. Nothing was longed for by the ladies with such impatience, and this not so much from the pleasure of beholding a magnificent spectacle, as from the glory of presiding at them: it was by them that the prize of these shews was always distributed; they were the soul and capital ornament of them; and to animate the courage of the champions, they used to give them a *favour*, *jewel* or *token*, which was sometimes a scarf, a veil, a coif, a sleeve, a mantlet, a bracelet, a knot, a buckler, a detached piece of their attire, and sometimes

ſometimes a curious piece of work of their own doing; and with theſe, the knight ſo favoured decorated the top of his helmet or of his ſpear, his ſhield, his coat of arms, or ſome other part of his armour. If in the heat of an action, theſe ſo precious pledges, fell by the chance of arms into the hands of a conqueror, the lady uſed to ſend others to her knight by way of comfort, and incentive to make himſelf maſter in his turn of the favours which his antagoniſts diſplayed; ſometimes indeed the lady's concern for her lover, made her forget that fondneſs naturally ſo prevalent in women, for the external decency of their perſon; and an antient hiſtorian tells us, that at the end of a tournament, " the ladies had been ſo free of " their ornaments and trinkets, that the " greater part were bare-headed, and going " away with their hair all hanging about " their ſhoulders, and their coats without " ſleeves, for they had parted with all to " encourage and decorate the knights; wimpels and hoods, mantles and jackets, ſleeves " and robes all went. When they ſaw " themſelves in this plight, they bluſhed up " to the ears, but every one perceiving others " no better off than herſelf, the whole " ended in a laugh, and all departed, pleaſed " with their bountiful kindneſs to ſuch gallant knights."

The

The invention of theſe warlike games is generally attributed to Geoffroi de Preuilli, who died in 1066: but it appears inconteſtably that they are ſtill of greater antiquity. Nithard relates, that at the interview at Straſbourg between Charles *the bald*, King of France, and Lewis his brother, King of Germany; the gentlemen of the two courts exhibited combats on horſeback, both from a ſpirit of rivalry, and to inhance the ſplendor of the ceremony. We farther read, that Raout count of Guines, who lived before the ſuppoſed inſtitutor, being come to a tournament in France, loſt his life in a combat. However it be, the example of this noble entertainment, primarily exhibited by our courts, was ſoon adopted by thoſe of Germany and England; and the authors of the Byſantine hiſtory themſelves allow, that the Orientals learned the art and practice of theſe ſports from the French.

Tournaments were uſually proclaimed in verſes, ſung by two young ladies of quality, with heralds attending, and flouriſhes of trumpets before and after every proclamation. The challenger and his adverſary agreed on two knights of eminent reputation to be judges of the combat; and theſe, as a mark of authority, had a white ſtaff, which they carried till the tournament was over. They appointed the day, the place, and the

weapons. There were likewiſe field-marſhals, counſellors, or aſſiſtants, ſtationed at ſeveral places to help thoſe who might ſtand in need; kings, heralds, and purſuivants at arms, diſperſed every where to make a faithful report of what ſtrokes were given and received.

All round the barriers, within which theſe ſpectacles were exhibited, ſtood ſcaffolds in the form of towers, with ſeats and boxes moſt magnificently decorated with tapeſtry, flags, banners, ſtreamers, banderoles and eſcutcheons, and the combatants were in ſplendid armour, mounted on high ſaddles, and their horſes rather more richly decorated than the riders. The only end of tournaments being to form the nobility to dexterity in feats of war, no weapons were admitted but ſuch as the French called *courtoiſes*, as ſpears without any iron, blunted, and often wooden ſwords, and ſometimes only long canes; and the combatants were not to make a puſh with ſuch blunted points, but only to ſtrike downwards. It was not allowed to fight out of one's rank, to wound an adverſary's horſe, nor to aim a lance at any other part than the face, and between the four limbs, that is, at the breaſt-piece: nor aſſault a knight after he had taken off his helmet, or only his viſor; and ſeveral were not to join againſt one, eſpecially in juſts.

juſts. If any one by an inadvertent breach of theſe laws had drawn others upon him, the *ladies champion* having a long pike, ſurmounted with a coif, lowered it on him in token of clemency, and his being under the ſafeguard of the fair ſex; and then all purſuit or aſſault on him was immediately to ceaſe: but if his tranſgreſſion appeared to have been premeditated, he underwent a public reprimand, which ſat heavy on the heart of a gentleman.

The knights came four days before the tournaments, and in the moſt gorgeous equipages, not unfrequently ruining themſelves in horſes of a vaſt price, in dreſſes for themſelves and their attendants, in pearls, emeralds and rubies for embelliſhing their arms, and even as an additional luſtre to the finery of their horſes, whoſe trappings were velvet, or ſome kind of ſilk. Their ſhields, with their arms richly emblaſoned, were diſplayed in great pomp along the walls of ſome neighbouring monaſteries, remaining there ſeveral days, not only as objects of bare curioſity, but to be examined by the lords and ladies; and ſo far from admitting all ranks indiſcriminately to theſe noble exerciſes, it was requiſite to be a gentleman by two or three deſcents, of known proweſs and untainted honour: a nobleman who had married beneath himſelf, or any otherwiſe

diſgraced

diſgraced his birth, was ſo far excluded from theſe ſolemnities, that if he preſumed to ſhew his face, the judge ordered him to be ſtripped of his armour, beaten with rods, and put a ſtraddle on ſome part of the barriers, there to ſit a whole day amidſt the inſults of the mob. To have ſpoken contemptuouſly of the fair ſex was likewiſe a diſqualification, and under the like penalties. A lady having cauſe of complaint againſt a knight for ſome offence, uſed to touch the helmet or ſhield on his arms, as a token of applying to the judges, for juſtice to be done on him: they, after proper enquiries, were to deliver their verdict, and if the crime was proved, the penalty of perpetual excluſion immediately followed: that if ever the delinquent made his appearance at a tournament, his audaciouſneſs was puniſhed by the knights, and even the ladies falling on him with ſticks and ſwitches, and continuing till he called out repeatedly that the ladies would be pleaſed to forgive him, and they were pleaſed to grant his petition. This rigour was of great uſe for reſtraining indecent liberties, and improving manners in general. The deſire of ſhining in ſuch honourable aſſemblies made the young very careful not to do any thing which might be objected againſt their admiſſion.

When

When all the quadrills or troops were drawn up, the judges went from rank to rank, carefully examining if any one had cauſed himſelf to be tied on the ſaddle, as beneath a knight, and accordingly prohibited under very ſevere penalties. Then the charge being ſounded, terrible was the din made by the ſpears, canes and ſwords, violently claſhing againſt the cuiraſſes and helmets of the combatants. The victory always remained doubtful for a long time, the challengers and aſſailants being perſons of courage and dexterity, diſputed it with the moſt animated reſolution. The vanquiſhed ſilently retired out of the liſts, and made their way to the neareſt foreſt. To this ſpectacle ſometimes ſucceeded a juſt, without any proclamation, challenge or prize; the weapons *innocent*, or ſuch as did not wound, and the combatants frequently high ſpirited gallants, who were for breaking a lance or two in honour of their charmers, and running full ſpeed, gave each other ſuch ſtrokes, that to keep the ſaddle required both uncommon ſtrength and ſkill in horſemanthip. The chief difference between tournaments and juſts was, the former being battles and the latter duels.

The tournament being concluded, the buſineſs was to adjudge the prize without

out any partiality, to the perſon who had beſt deſerved it. Unexceptionable perſons went through all the ranks collecting the votes, and the ſovereign princes, old knights, and the judges, after hearing the report of the officers at arms, who had been ſtationed to keep an obſerving eye on the combatants, named the victor, who thereupon was proclaimed by the chief herald. The queſtion has often been known to be referred to a court of ladies, and they have ſometimes decreed the prize as ſovereigns of the tournament. When it was not granted to the hero whom they held moſt worthy of ſuch a diſtinction, they contributed to preſent him with a ſecond, which, if not quite ſo honourable as the firſt, might be more pleaſing to the receiver. The ladies prize, according to the narrative of the entertainment given at Lille by the duke of Burgundy, was always preſented to the triumphant knight by two ladies of the higheſt rank. *Whilſt they were dancing in this manner*, ſay the memoirs of that time, *the kings at arms, and heralds, with the noblemen appointed for the enquiry, went to the ladies, both married and ſingle, to know to whom the prize was to be given and preſented, as* the beſt breaker of wood, *and jeſter of the day; and it was found that the Lord de Charolois had deſerved and* earned *it. So the officers at arms took two princeſſes, ſingle ladies, Mademoiſelle de*

 Bourbon,

Bourbon, and Mademoiſelle d'Eſtampes, to preſent the prize, and they accordingly delivered it to my ſaid Lord de Charolois, who kiſſed them, as then was and ſtill is the cuſtom; this was followed with loud acclamations of montjoie! montjoie!

Amidſt all the precautions againſt any misfortunes incidental to ſuch ſpectacles, there was ſcarce a tournament without a great deal of miſchief, many perſons cruſhed under the ſcaffolds, by the horſes, or ſtifled in the duſt. Above twenty princes fell victims at theſe exerciſes; and Robert, ſixth ſon of Lewis IX. received ſuch ſtrokes on his head as threw him into a total inſanity of mind. Theſe deplorable accidents being very frequent, it was judged proper to diſpenſe at leaſt ſovereigns and princes of the blood from ſignalizing themſelves at theſe trials of ſkill, by reaſon of the great importance of their perſons; and very commendable was the prudence of Philip Auguſtus, in making his ſons, Lewis and Philip, take an oath to him that they would never engage in a tournament without his leave. It was on account of ſuch fatal diſaſters, that the popes iſſued the ſevereſt anathemas againſt thoſe who ſhould go to a tournament; and forbad, under very ſevere penalties, burying in conſecrated ground any who loſt their lives at theſe ſports, whether combatant or ſpectator.

But the ardour of our nobility for theſe returning opportunities, during a peace, of diſplaying their courage, expertneſs and gallantry, overlooked all monitories, decrees, bulls, and anathemas. Lewis IX, on receiving the news of the Eaſtern Chriſtians having been defeated by the Infidels with great ſlaughter, ſuſpended theſe murtherous entertainments for the ſpace of two years, and he was regularly obeyed; but no ſooner was that term expired, than tournaments came into as much vogue as ever. All ranks reſorted to them as now they flock to the theatre, which, though condemned by the caſuiſts, is the rendezvous of all who are called *people of any faſhion*. Nothing leſs than the tragical death of Henry II. in 1559, by a ſplinter of a lance flying into one of his eyes, could extinguiſh the paſſion of the French for theſe exhibitions.

Greek Fire.

LEWIS IX. embarked for his favourite expedition of the Croiſade *, in Auguſt 1348, and after wintering in the iſle of Cyprus,

* Such was Lewis's zeal for the Croiſade, that he even made uſe of artifice to increaſe the number of illuſtrious adventurers. It was cuſtomary at ſolemn feſti-

Cyprus, ſailed into Egypt, where he landed though oppoſed by a ſtrong army; and his other ſucceſſes were no leſs remarkable, till he came to the point which ſeparates the two arms of the Nile. Here the queſtion was, how to croſs that of Thanis, which, beſides its breadth and depth, was lined on the other ſide by the beſt Egyptian troops, and behind them the city Maſourus, from which they received plentiful ſupplies of all neceſſaries?

vals, for kings to give the court lords furred hoods or great coats, which they immediately put on. Theſe are what the ancient houſehold accounts call *liveries*, being *livrés*, i e. delivered to the perſon by the King himſelf. Lewis ordered a greater number and much finer than uſual, to be got ready againſt Chriſtmas eve; and on theſe he cauſed privately to be put large croſſes, embroidered in gold and ſilk, and for better carrying on this innocent deceit, care was taken to leave only ſuch a light in the apartments as one could juſt ſee one's way. The monarch diſtributes the garments, and every one with reſpectful thanks kiſſes the royal hand at receiving his, and immediately puts it on; all then proceed, following the King to the firſt maſs, which was before day-break. The reader conceives great ſurprize, when at the firſt dawning of light they ſaw on thoſe before them, and afterwards on themſelves, that ſign, in their account ſacred, of an engagement which they had not the leaſt thought of contracting. The King's meaning was ſoon underſtood, and though only a ſport which could not be conſtrued obligatory, ſuch was the complaiſance of theſe lords, that they were pleaſed to look on themſelves as irrevocably liſted. After maſs, the whole company joined in the laugh with this dexterous *fiſher of men*, as he was afterwards ſurnamed; and all perſons of rank flocked to congratulate him on ſo notable a draught.

It

It was determined to raiſe a dyke or cauſeway in the river, and carry it on as near as poſſible to the other ſide. Immediately two *char chateitz* or covered galleries, were run up to ſhelter the workmen, and at the ends of theſe galleries, two *befrois* or large towers full of croſs-bowmen, who kept a continual diſcharge on the oppoſite ſhore. Beſides theſe prodigious wooden caſtles, eighteen other new invented machines were made for throwing ſtones and large bolts.

But all this labour was ſoon found to be uſeleſs; the water, during the night, ruining all the progreſſes of the day, and the deluges of greek or wild fire ejected from the Saracen camp, inſtantaneouſly deſtroyed every tower, gallery, and machine, which had taken up ſo much time and labour, beſides the vaſt expence. This fire, the deſtructive invention of Callinicus, an architect of Heliopolis, in the time of Conſtantine *Long Beard*, was a compound of naphta, ſulphur and bitumen. The author of the hiſtory of Jeruſalem, makes oil an ingredient, and Jacques de Vitry relates that the Eaſt affords many fountains, the waters of which are uſed in this deleterious compoſition: the invention however is now happily loſt. It is ſometimes called *Medea's fire*, that fury having made uſe of ſuch fire to conſume Jaſon's ſpouſe: ſometimes *Grecian*

fire, from the Greeks, being the only people who for a conſiderable time were acquainted with this violent fire, for ſuch it truly was, conſuming every thing, burning even in the very water, and to be quenched only by ſand, urine, and vinegar. It was thrown ſometimes with a kind of mortar or pederero, ſometimes with a particular ſort of croſs-bows, *arbaletes a tour*, often in phials and pots, at other times with iron ſpears wrapped about with tow dipped in oil and bitumen; in battles it was likewiſe blown through large copper tubes. *That eſpecially which was thrown from a mortar*, ſays the artleſs Joinville, *looked like a huge dragon flying through the air, and ſpread ſuch a flame that it was as light in our camp as in broad day. One night particularly, the Turks approached with that engine, a terrible engine for doing miſchief, and threw ſuch a quantity of that accurſed Greek fire, that in my whole life I never ſaw any thing ſo frightful. On this my comrade, Meſſire Gautier, and a worthy knight he was, cried out, It's over with us, gentlemen, we are undone to all intents and purpoſes: if they ſet fire to our covered galleries, we ſhall periſh in the flames; for if we quit our poſts, where can we ſhow our faces? So the beſt way will be for every one to throw himſelf upon his knees, and call upon God for mercy. Our good King all the time lay along upon the ground, crying out, Sweet Lord,*

Lord, (beau Sire) *Jeſus Chriſt preſerve me and my people: and believe me, his prayers ſtood us in very great ſtead.*

The next day, however, the Infidels had ſuch ſucceſs with their fire, that both the towers were reduced to aſhes, notwithſtanding all the efforts of the Count d'Anjou, who headed the workmen, and from deſpair was for ruſhing into the flames, to put them out, or die in the attempt. Another tower was immediately taken in hand, and the coſt amounted to above ten thouſand livres; but on its being, with vaſt labour, brought and fixed in its place, was immediately played upon, and deſtroyed in the like manner. That igneous compoſition, with the ſecret of which the Croiſes were unacquainted, galled the whole Chriſtian army, beſides what it ſuffered from ſtratagems and open attacks. In another action the barbarians, with long copper tubes, blew about their terrible *Greek fire*, which ſticking to the ſoldiers cloaths, and the capariſon of the horſes, immediately ſet them all over in a blaze.

Strange Interments; ſhocking emblem of an Union. Adoption of Brothers in honour; Brotherhood of Arms.

Hen. III. *Anno* 1251. WHILST the pious King, Lewis IX. was at Ceſaria, a knight of a reputation equal to his illuſtrious lineage, came to wait on him. This was Philip de Toucy, bailiff or regent of the empire of Conſtantinople, grandſon of Princeſs Agnes, a ſiſter of Philip Auguſtus, relict of the Emperor Andronicus, and by a ſecond marriage, wife to Theodore Uranus, grand ſignior of Greece. He uſed to relate many particulars concerning the misfortunes of Baldwin II. Emperor of Conſtantinople, and of that prince's alliance with the Comanians, now called Comoucks, a people under the protection of Perſia, and though ſuperſtitious Mahometans, make a kind of trade of robbery and violence. They were at that time Pagans, as may be conceived from their manner of interring their ſovereigns *. Jonah, a King of theirs, dying

* The reader will excuſe a ſhort digreſſion on the death and funeral of Blanche, Lewis's mother, as expreſſive of the devotion prevailing in thoſe times. Being ſeiſed at Melun, with the illneſs that carried her to the grave, ſhe immediately removed to Paris, where ſhe received the *viaticum*, by the hands of her confeſſour. Some days after, ſhe ſent for the abbeſs of the convent

ing at Conſtantinople, was carried out of the city to a ſquare grave of a conſiderable depth and breadth, and here ſeated on a throne richly embelliſhed. With him were interred eight eſquires, four on each ſide of him, and twenty-ſix horſes, all living, for his conveniency in the other world. The whole was covered with boards cloſely faſtened, and over them a mount of ſtones and earth. Theſe ſavages, at their alliance with the Latins at Conſtantinople, required that they ſhould ſeal the treaty according to the uſage of the antient Scythians, which was to mingle the blood of the contracting parties in one and the ſame veſſel, and all reciprocally to drink of it. *A barbarous ceremony*, ſays a learned academician, *but which inſpires ſentiments very remote from barbarity, and was for a long time obſerved in the adoption of brothers in honour*; the appel-

convent of Maubuiſſon, which ſhe herſelf had founded, and conjured her by their long friendſhip to inveſt her with the ſacred habit of her order, and accordingly made her profeſſion with the moſt elevated devotion. Being afterwards carried back on a ſtraw bed, with only a plain ſerge for covering, ſhe ſoon breathed her laſt. Immediately the royal mantle was put over her ciſtercian veſture, and a golden crown on her head, over her veil. In this attire, and ſeated on a ſort of throne, very ſplendid, ſhe was carried by the greateſt lords of the kingdom, from the palace to St. Dennis's gate, and from thence the royal corps was conveyed to Maubuiſſon, where ſhe had marked a particular ſpot for her grave.

lation

lation then given to thoſe aſſociations, which were ſometimes formed from the neceſſity of a juſt defence, ſometimes from the prepoſſeſſion natural to a virtuous heart at meeting with ſimilar virtue.

Great ſouls by inſtinct to each other turn,
Demand alliance, and in friendſhip burn.

Not the leaſt trace of ſuch gallant aſſociations is to be found among thoſe haughty republics, which had arrogated to themſelves all genius and politeneſs, excluſive of every other nation: yet are ſuch alliances of immemorial antiquity among the northern nations on which Greece and Italy, as ſooner civilized, have thought fit to beſtow the appellations of ſavages and barbarians. They were ſometimes made between kingdom and kingdom, of which the alliance of the Conſtantinopolitan Latins with the Comaucs is an inſtance; frequently between princes, as that ſworn to by King Lewis XI. and Charles *the Bold*, the laſt Duke of Burgundy; but more commonly between private perſons, who from a mutual high opinion and inclination, aſſociated together on oath, for ſome enterprizes, equally to ſhare the hardſhips and dangers, together with the glory and profit. The laſt kind of alliance is more immediately the ſubject here intended, which chiefly was called *brotherhood of arms*, an affinity

affinity which conveyed no right of ſucceſſion to the adopted brother; honour alone conſtituting all the eſſence, ſpirit, object and end.

The forms of the initiation were different, according to the genius, temper and manners of nations. "Our people," ſays Joinville, lord ſteward to Lewis IX. "were obliged "to be blooded along with the Lord de "Toucy's people; then the blood being "ſtirred about in wine, both parties drank "of this horrible mixture, and joined in "an acclamation, that they were *Brothers "by Blood!* Another circumſtance equally "ſingular, is, that, at the ſame time, the "Conſtantinopolitan knights cauſing a dog "to be led along between them and the "Chriſtians, ſaid, as they ſlaſhed the crea-"ture with their ſabres, *May we be ſo ſlaſhed "if ever we are wanting to each other.*" Matthew Paris relates, that ſuch a cuſtom ſubſiſted among the Hibernians, ſo lately as the beginning of the thirteenth century, when a kind of fraternity was to be contracted or confirmed with their allies. The Count de Tripoli likewiſe ſubmitted to this barbarous ceremony, when he entered into his ruinous treaty of union with the Sultan of the Saracens. It appears, however, from the hiſtory even of ſome Pagan nations, that theſe adoptions were not always ſtained with blood,

blood, or accompanied with ſuch horrid ceremonies; being among ſome performed only by claſhing together their ſhields, ſpears and ſwords, a common mark of aſſent and applauſe among the Engliſh, till the Norman conqueſt introduced a change of manners. Another form of adoption was, by mutually preſenting their weapons, from a perſuaſion that a greater mark of friendſhip there could not be, than interchanging with one another what they valued above every thing elſe; or ſometimes theſe aſſociations were confirmed by taking an oath with one hand on their weapons: and from this ceremony is derived the common Engliſh expreſſion of *ſworn brothers*; becauſe they ſwore to love each other with all their heart; to protect each other againſt any enemies; and laſtly, to join one and all in defence of the kingdom.

Theſe ceremonies, moſt of which had a leaven of ſuperſtition in them, Chriſtianity abrogated, and ſubſtituted in lieu a more devout and reſpectable fraternity. It was contracted at the altar before a prieſt, and with a form of prayers, to be ſeen in the *Eucologium*. The new brothers confirmed their affinity, not only by taking a ſolemn oath on the goſpels, but likewiſe by the holy euchariſt; the prieſt breaking it in two, and giving a part to each, in token that thus ſhould he

he be ſeparated from Chriſt, who violated the fraternal convention. We read in the hiſtory of the diviſions between the houſes of Orleans and Burgundy, that the two princes went to church, heard maſs together, and, after ſwearing true love and friendſhip, received the ſacrament; yet was ſo ſolemn an oath ſoon after notoriouſly violated by the Duke of Burgundy. It muſt not however be concealed, that theſe aſſociations of intimacy, were not all ſolemnized in churches, nor with the like ceremonies; nor ſo much as both parties being preſent. The King of Arragon made himſelf brother at arms to Philip, Duke of Burgundy, whom he had never ſeen; and in the chamber of accounts at Paris, is an authentic deed, by which Lewis XI. *takes and accepts of Charles the Bold, Duke of Burgundy, for his only brother at arms, appoints himſelf his; and promiſes to ſecond, aid, ſupport, aſſiſt, favour and ſuccour him with his perſon, againſt living and dying creatures: laſtly, he ſwears by his faith and body, on his honour, and the word of a King, that he will truly abide by, and keep the whole tenour of his oath, ſtedfaſtly, truly, and with a willing heart; never doing any thing contrary to it, in any wiſe, form or manner, directly or indirectly.*

Theſe aſſociations were not always for life, being often entered into on ſome occaſional enterprize,

enterprize, a war, a campaign, or even a battle, a ſiege, or ſingle aſſault. The brave St. Colombe being mortally wounded before Rouen, the Duke of Guiſe, commander in chief, went to ſee him, and aſſured him, *that he ſhould always partake of his fortune and means as his comrade and aſſault-brother.* The ladies, amidſt all the great reſpect paid to them, could not claim the preference before a brother at arms; and a lady having preferred a complaint againſt a knight for failing to protect her, he pleaded his being, at that time, under a neceſſity of haſtening to aſſiſt his *companion*, and his excuſe was allowed of; but, adds the learned author of the *Memoirs on antient Chivalry*, ſuch an apology would not have been admitted, had the failure been towards his ſovereign. Hence the expreſs clauſe in the alliance between du Gueſcin and Cliſſon: *we will be for ever united againſt all who may live and die, except the King of France, his brothers, the Viſcount de Rohan, and other lords of whom we hold land.* Obedience and regard to the monarch took the lead of all other duties. The brothers at arms of different nations were bound only whilſt their ſovereigns were in alliance. On a declaration of war, all ſociety between their reſpective ſubjects became diſſolved: but in every other caſe, the ties of this fraternity were the moſt ſacred and indiſſoluble.

The

The brother at arms was to be an enemy to his companions enemies, and not to own, at leaſt openly, any friends who were not ſo to both: and in this article, the Duke of Bourbon was ſo ſtrict as to decline accepting of a conſiderable ſum from Henry de Traſtamara, King of Caſtile, purely becauſe that prince was an enemy to his war-brother, Boucicaut. There was no occaſion in which a companion at arms was not ready if the other wanted aſſiſtance, no good offices in which he did not endeavour to aſſiſt him, and no intereſt which he was not diſpoſed to ſacrifice to his welfare: all their goods, preſent and to come, were in common; their very life was not to be ſpared for the deliverance of the other; in no exigency whatever, were they unmindful of their aſſociation. The obligation of mutual aſſiſtance without ſeparation from one another, did not allow them ſo much as to contract any ſeparate engagement, at leaſt without the other's full conſent; Boucicaut paſſing through the country of Foix, in his return from Spain, was often at table with Engliſhmen; and they, from abſtinences which they perceived he practiſed in his meals, concluding him to be under a vow of ſome *feat of arms*, told him that if that was all he wanted, they would ſoon have provided him a man ready for him to diſcharge his vow. Boucicaut made anſwer, "That his vow was to fight

"to

" to the utmoſt, but that he had a compa-
" nion at arms, without whom he could do
" nothing; that, however, if any one of
" them was for a trial of ſkill, he was his
" man, and on any day he pleaſed; all he
" aſked, was time to adviſe his brother of
" the affair."

But as all the enterprizes of brothers at arms were to be carried on jointly, the honour and danger common, and the profit equal, ſo the expences were to be equally borne; and by the law, their purſes were to be in common. When the expedition was over, or the alliance became diſſolved by a rupture between the ſovereigns, an exact account was drawn up of receipts and diſburſements, and loſs and gain. Thus Caverlens, an Engliſh gentleman, ſaid to conſtable du Gueſclin, a war which is unhappily broken out between the Prince of Wales, my lord, and King Henry of Caſtile, lays us under a neceſſity of ſeparating. We have been true companions together, as becomes gentlemen. I have always made free with your purſe; never was there a word amiſs between us about booty or gifts; we looked on it as beneath us to mind ſharing; but I am apt to think I have had more than my ſhare, and am in your debt: a fair account is all I aſk. The generous conſtable anſwered, Whether you are in debt to me,

or I to you, is what I know nothing of; our friendſhip is all I remember. My great concern is, that your ſovereign's orders call you away to his ſervice; that is an indiſpenſable duty to every true gentleman. If things hereafter fall out ſo that we can aſſociate again for ſome freſh enterprize, we will write; but for the preſent let every thing be clear. Our union aroſe from mutual eſteem, acquaintance encreaſed it, and abſence ſhall only ſtrengthen it. *Then Du Gueſclin and all his companions kiſſed him, and a very ſorrowful parting it was.*

Theſe aſſociations were frequently a public benefit. It appears from many monuments, that particular lords have, by means of theſe military fraternities, accompliſhed enterprizes becoming powerful ſovereigns; accordingly they were not to be formed but with the prince's approbation and allowance. When their duty no longer detained them in the immediate ſervice of their King and country, aſſociations were made to clear a province from robbers, to free diſtant nations groaning under the galling yoke of infidels, to avenge an injured ſovereign, dethrone an uſurper; but more frequently to quell any violence offered to the perſons and properties of the fair ſex. Such were the Duke of Bourbon's ſo much celebrated enterprizes in Lyonnois then over-ran with

robbers, that of Santre in Pruſſia, againſt the Pagans, that of du Gueſclin in Arragon, againſt Peter *the Cruel*, of Boucicaut, all over France, for reſtitution to be made to ladies, of all the lands of which they had been diſpoſſeſſed during the confuſions of the wars. It raiſed the indignation of that gallant knight, to ſee ladies of all ages flocking to lay their lamentations and complaints at the foot of the throne, as to the fountain of juſtice. Aſhamed that chivalry had not of itſelf avenged their quarrels, he determined to raiſe an order of thirteen knights, devoting themſelves for the ſpace of five years, *to defend, with all their power, the rights of all gentlewomen applying to them.* The knights wore bound round their arms, a golden ſhield, enamelled green, and with the figure of a white lady; and from this diſtinction they were called, *the knights of the white lady on the green ſhield.*

Theſe military fraternities naturally bring to mind the honorary adoptions of ſons, as indeed from theſe the former are conjectured to derive their origin; though theſe adoptions did not, as among the Romans, convey any right of inheritance, they implied a real reciprocation of the endearing appellations and duties of father and ſon, and formed a connection of goodwill, the more intimate and cordial, as void of all mean ſelfiſhneſs.

They

They obtained firſt among the northern nations, and from them ſpread both in the eaſtern and weſtern countries, that many literati judge them to be the true ſource of chivalry. All hiſtories abound with inſtances of ſuch affinities, and among thoſe nations whom the Greeks called foreign and barbarian, they were eſteemed moſt conſiderable favours: Kings themſelves, their ſons, the greateſt noblemen accounted them an honour, eſpecially when the party adopting was a perſon of diſtinguiſhed reputation for feats of arms, or illuſtrious by lineage and dignity; as Francis I. uſed to call Semblangai, and Henry II. the conſtable de Montmorenci, his father. In this manner was Theodoric, King of the Goths, adopted by Zeno; Theodebert, King of the Auſtraſian French, by Juſtinian; Coſroes, King of Perſia, by Mauritius; Boſon, by Pope John XXII. Lewis, Boſon's ſon, by the Emperor Charles *the Corpulent*; and Godfrey de Bouillon, by Alexis Comnenes.

Theſe adoptions, though every where alike in the effect and import of them, were not accompanied with the like ceremonies in all nations. That among the northern nations was by a preſent of weapons, or a whole military apparatus, ſaying, *we give you this horſe, this ſword, this buckler, and this whole ſet of military armour, and by this*

preſent create you our ſon, to the end that by your deeds you may make yourſelf worthy of a rank which your courage ſeems to deſerve. The cuſtom among the Greeks is found in the hiſtory of the holy wars, to have been by cauſing the perſon to paſs through his ſhirt, or under his cloak, as if come out of him, and thus to be accounted his ſon. Thus Baldwin, brother to Godfrey de Bouillon, and who ſucceeded him in the throne of Jeruſalem, was adopted by the prince of Ediſſa paſſing naked through his ſhirt, the prince claſped him cloſe to his breaſt, and concluded the ceremony with kiſſing him; the princeſs did the like, and from that time both treated Baldwin as an adopted ſon.

In our hiſtories we meet with another form of adoption; the adopter cutting off the adopted perſon's hair. Charles Martel ſent Pepin, his ſon, to Luitprand, King of the Lombards, with a deſire *that he would cut off his firſt hair, in token of being his adoptive father*; which was accordingly done, and the young prince ſent home with preſents becoming the magnificence of a great King. This ceremony, though its origin be loſt in the remoteneſs of Pagan antiquity, was always obſerved by the Chriſtians, who, to avoid irritating ſome weak minds by the abolition of certain antient uſages, have ſanctified them with offices of devotion.

St.

St. Gregory's book of ſacraments has the form of prayer uſed by the prieſt at the altar, on the ſacramental tonſure of young children; it farther appears that theſe occaſions required godfathers; and the Salic law inflicts penalties on cauſing a child to be ſhorn without the conſent of his father and mother. Some affirm, that in the primitive church, the hair clipped off was delivered to the godfather, who wrapped them up in wax, with the effigy of Jeſus Chriſt ſtamped on it, and kept it as the pledge of a thing offered to God; accordingly, others ſay, the prieſts kept theſe conſecrated firſt-fruits in a particular place conſecrated for that purpoſe: one very certain circumſtance is, that the anniverſary of the tonſure was celebrated as a feſtival.

Another adoptive ceremony was clipping the firſt hairs of the beard of the perſon adopted. Clovis ſent ambaſſadors to King Abain, with a requeſt, *that he would clip off his beard, and thus, according to the cuſtom of the antients, be his adoptive father.* This had certainly been an uſage from all antiquity among the Greeks and Romans; and beſides the parade at the ceremony, and the banquet which followed it, theſe firſt hairs were ſolemnly conſecrated to their deities. The abolition of ſuch a ſplendid practice being more than the Chriſtians could compaſs,

they confined themſelves to the purifying it by an impreſs of religion, appointing a form of prayer to be uſed on theſe occaſions, and which is likewiſe preſerved in St. Gregory's book of ſacraments.

But the beſt founded of all theſe adoptions, was that contracted at baptiſm, between the godfather and the perſon adopted. According to Procopius, it was the uſual manner of adoption among the Chriſtians. The life of St. Anſchairus informs us that the Emperor Lewis *the Gracious*, having prevailed with Harold, King of the Danes, to become a Chriſtian, was his godfather, *and adopted him as his ſon*. It is farther added, that beſides many valuable preſents, he gave him a county in Frieſland *for ſonſhip*, it being the cuſtom at that time for the godfather to beſtow ſome gift on the ſon, in token of the adoption being real. The affinity between godfathers and godſons has always been conſidered as ſo intimate and ſtrict, that the laws of the church expreſsly forbid any matrimonial alliance between them.

In later ages, kings, princes, and even republics, are come into another manner of adoption, conferring their names or arms on ſome illuſtrious perſonages. Thus Philip de Croy was adopted by Ferdinand, King of Naples, who licenſed him to bear the arms

and ſurname of Arragon; but ſuch honour gave Philip no claim to the lands, rights and privileges of that illuſtrious family. Thus the Venetians, as a mark of their high regard for Rene de Voyer, granted to him and his iſſue to bear the arms of the republic over his own ſhield. Thus marſhal Richlieu, who ſaved Genoa, was made a Genoeſe noble, with the power of bearing the full arms of that ſtate.

The communication of a prince's arms, or of a part, was eſteemed a very ſingular honour, and the higheſt recompence to which a ſubject could aſpire for any ſervices. The ſovereign likewiſe, by this honorary grant, attached thoſe whom he thus gratified, more ſtrongly to him, and it was farther an incitement of gratitude and zeal to their poſterity. With this view, Lewis IX. granted the French *chief* to the Teutonic order, and allowed Boſmond VI. prince of Antioch, to quarter arms.

Inſolence of Pope Innocent; firmneſs of Blanche, Queen Regent of France, and of the French nobility in oppoſition to him. Cruelty of the Chapter of Paris ſuppreſſed by the ſame Queen.

Hen. III.

Anno 1252. THE Pope's exultation at the death of the Emperor Frederic II. whom he had excommunicated, little became his ſacred character. He immediately wrote to the Sicilians in all parts, to rejoice at the death of an oppreſſor of their liberties, to the archbiſhop of Palermo exhorting him to repent of his fidelity to his lawful ſovereign and to expiate it by ſtirring up the people againſt his heir, and to the Germans, aſſuring them that the race of that proſcribed prince never ſhould hold the empire, nor the principality of Suavia, with the conſent of the holy ſee. Conrad, in the mean time, was approving himſelf the worthy ſon of ſuch a father as Frederic, having driven his competitor out of Germany, and all Italy ſubmitted to him, Naples alone excepted, as being ſurprized by his enemies. The pontiff, frightened at theſe rapid ſucceſſes, cauſed ſome propoſals to be made to him; but this prince found himſelf ſeized, at the very ſame time, with ſymptoms of ſo ſtrong a poiſon, that all the art of medicine could

ſcarce

ſcarce recover him, an incident which greatly inflamed the general indignation, ſome accuſing the Pope's partiſans, but Conrad charged the atrocious plot on the Pope himſelf, to whom this report, whether true or falſe, did great hurt. All temper and lenient meaſures were thrown aſide. Innocent, though the good Lewis IX. was expoſing his perſon and dominions for the ſupport of religion in Aſia, was the firſt in diverting the people from carrying to him thoſe ſuccours which he had ſo preſſingly required: he even took upon him to proclaim a freſh croiſade againſt Conrad with indulgences more conſiderable than thoſe of the holy land, and including both the father and mother of the perſon croiſed. Queen Blanche, Lewis's mother, incenſed at ſo abrupt a proceeding, immediately convened the nobility, and it was unanimouſly reſolved, that all the lands of perſons engaging in that warfare, ſhould be ſeized. "Let theſe "traitors to their country go, ſaid the "members, as with one voice, but never to "return: who, but the Pope, ſhould pay "thoſe who make themſelves the tools of "his ambition, whilſt they ſhould be ſerv-"ing Jeſus Chriſt under the banners of our "lord the King?" The Dominicans and Cordeliers, who had preached up this ſtrange croiſade, were ſeverely reprimanded. "We build churches and manſions for you,

"ſaid

" ſaid the lords, we treat you with kindneſs, " we ſubſiſt you, we keep you, and what " does the Pope do for you? He plagues " and haraſſes you, he makes you his " receivers and public cryers, and thus alie- " nates the hearts of your benefactors from " you." The ſimple religious pleaded their due obedience to the holy father, as if government had not its rights as well as the prieſthood, and rights equally ſacred, and founded on that authority from which every power is derived.

This was not the only inſtance of Queen Blanche's juſtice and firmneſs. The chapter of Paris had impriſoned all the inhabitants of Chatenay and ſome other places, as charged with doing things which were not allowed to bondſmen. The chapter, in the ſtrictneſs of the law indeed, had ſuch a right; but that right was not to ſuperſede thoſe of humanity. Theſe poor people, however, were ſhut up in a ſubterraneous dungeon, debarred every neceſſary, and without any hope of relief. The Queen, on being informed of their diſtreſs, was ſenſibly moved, and inſtantly ſent a requeſt to the prebendaries, that they would for her ſake, yet on ſecurity, be pleaſed to releaſe thoſe miſerable ruſtics, promiſing that the whole affair ſhould be duly enquired into, and determined with proper equity. The eccleſiaſtics, perhaps

haps offended at a woman's teaching them a virtue which it was their province to preach to others; or, which is more likely, from a too fond prepoſſeſſion of their great obligation to uphold the ſuppoſed privileges of their church, arrogantly anſwered, that they were not to give an account to any one of their behaviour towards their ſubjects, on whom they had power of life and death. At the ſame time, as an inſult to the good Queen, they gave orders for their wives and children, whom at firſt they had ſpared, to be ſeized and brought away to the ſame loathſome confinement, where many periſhed by diſtreſs and the infection of the place, which could ſcarce hold them. The Queen, provoked by ſuch inſolence and barbarity, judged that prerogative, degenerating into abuſe, and countenancing the moſt horrid tyranny, forfeited all title to regard, went in perſon to the priſon, ordered it to be broke open, giving the firſt ſtroke herſelf, to encourage any who might be withheld by dread of the church cenſures ſo common in thoſe days; and the doors were ſoon made to give way. Out came a multitude of men, women and children, ſo wan and emaciated, as ſcarce to retain the appearance of human creatures. All threw themſelves at their benefactreſs's feet pouring forth their thanks, and imploring her protection. She promiſed it, and made her words good. The chap-

ter's

ter's lands were ſequeſtrated, a ſure way for bringing the moſt refractory to take on them the yoke of legal authority; accordingly the prebends at length became tractable, reſpectfully kiſſed the hand which ſmote them, and agreed to manumit thoſe poor people in conſideration of a certain ſum to be paid every year.

Whilſt Lewis's mother ſupplied his place with ſuch wiſdom and magnanimity as regent, Margaret, his Queen, had carried her affection ſo far as to attend him in all the hardſhips and dangers of a croiſade; and on the news of that prince's being taken priſoner, ſhe fell into inexpreſſible anguiſh, and the lawleſs barbarity of his enemies, her being remote from all aſſiſtance, Damiet, where ſhe was, ſcarce tenable, and her pregnancy very near its term, extremely aggravated that afflictive diſaſter. Every night ſhe frequently ſtarted from frightful dreams, as of Saracens murdering the King, or tumultuouſly ruſhing into her chamber to carry her off; theſe phantoms always threw her into agonies, during which ſhe was continually ſcreaming, *help! help!* In this diſtreſs, ſays Joinville, a knight *well ſtricken in years and aged, being upwards of fourſcore*, was appointed to ſit up with her at her bed's feet; but the behaviour of her hoary defender a little enlivens this gloomy ſcene.

ſcene. Whenever ſuch dreadful viſions broke her ſleep, he would take her by the hand, ſaying, *Don't be afraid, Madam, I am with you.* One day, having bid all her attendants withdraw, ſhe threw herſelf at the knight's feet, *Give me your word,* ſays ſhe, *that you will comply with a requeſt I have to make to you.* He accordingly promiſed on oath. *Well, Sir Knight,* continued ſhe, *I require you by that oath, that ſhould the Saracens take this city, you will inſtantly cut off my head, before they can ſeize me.* The good gentleman made anſwer, that I will do very willingly; and indeed, Madam, *I had, of myſelf, ſome thought of doing ſo, if it came to the puſh.*

SATYR. *Being a ſketch of the wit of thoſe times, and of ſeveral princes then reigning.* Hen. III.

ABOUT this time died one of thoſe brave knights againſt whom the moſt malignant envy could not bring the leaſt reproach: *Anno* 1252. a poet who revered him, compoſed the panegyric on his virtues, which, on the other hand, was a ſevere ſatyr on great perſonages, and being a ſketch both of the wit and of the princes of thoſe times, it may not be unacceptable: here it follows in its literal plainneſs:

plainneſs: " In this doleful lay I will lament Blacus, and well indeed may I lament his death. The moſt cordial friend! the moſt worthy lord! with him all the virtues have taken their flight. This is ſuch an afflictive ſtroke that I do not know any expedient for the vaſt loſs, but to take that noble heart of his, and ſhare it among theſe barons who have none, and they will have heart ſufficient. The firſt piece ſhould be eaten by the Emperor of Rome, if he is for recovering thoſe lands which the Milaneſe have wreſted from him, in ſpite of all his bulky Germans could do. We would likewiſe counſel the illuſtrious King of France to partake of it, that he may retrieve Caſtile, which he is ſo fillily loſing; but ſhould his good mother know it, he won't touch it; for all the world ſees what a dutiful child he is, how very obedient to all ſhe ſays, never doing any thing that may diſpleaſe her. King of England, eat thou a luſty gob, for no heart haſt thou, and then thou wilt be a hero, and regain thoſe provinces which, fy upon thy cowardice and negligence! thou haſt ſhamefully ſuffered to fall into the French hands. The King of Caſtile ſhould eat two ſhares, having two kingdoms, and not capable ſo much as to govern one; but when he is for eating, let him too get out of his mother's ſight, ſhould it come to her ears, ſhe would give him a ſound warming. I would have

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the King of Arragon not to be ſparing of this animating heart, he has two blots in his eſcutcheon, one got at Marſeilles, and the other at Milan, and this is the only way to make all clean and bright again. The King of Navarre ſhall not go without a good bit; for by what I hear, he was better thought of when a Count, than now on the throne, to which he has been ſo fortunately raiſed. A ſad thing indeed! when they whom God has exalted are brought low by their baſe want of courage. The Count de Toulouſe muſt think that he has no ſmall need of it, if he is pleaſed to call to mind what he has been, and what he is now; and he ſhould eat it with a good will, for his own heart is known to be ſuch a poor thing, that it will never help him to recover his loſſes."

Ambaſſy from the King of the Aſſaſſins to Lewis IX.

WHILST King Lewis was providing for the ſecurity of Acre, the ancient Ptolomais, as the chief place remaining in the hands of the Chriſtians, he received a very unexpected ambaſſy. "Sire, ſaid the ſpokeſman of this deputation, do you know my lord and maſter, the mountain chief?" *Anno* 1250.

"No,

" No, anſwered Lewis, coldly, but I have " heard of him." " If ſo, replied the am- " baſſador, I wonder you have not yet ſent " him a preſent to make a friend of him; " for it is a mark of reſpect which the Em- " peror of Germany, the King of Hungary, " the Soldan of Babylon, and ſeveral other " great princes, never fail paying him con- " ſtantly every year, well knowing that " their life is in his hands. I therefore come " in his name to call upon you, and require " that you, like your equals, fail not of " giving him due ſatisfaction on this head; " or at leaſt that you cauſe him to be diſ- " charged from the yearly tribute which he " pays to the grand maſter of the temple, " and the hoſpital. He could rid himſelf " of both; but they would ſoon be ſuc- " ceeded by others, and to expoſe his ſub- " ject only to be ever beginning again, is " not his way." The King having pa- tiently heard this inſolent harangue, directed the envoy to return in the evening, when he ſhould receive his anſwer. The grand maſ- ters of the templars, and of the hoſpitals, aſſiſting at the ſecond audience, obliged him, by the ſovereign's order, to repeat what he had ſaid in the morning, and again put him off till the day following. The haughty Aſſaſſin's countenance ſhewed him little accuſtomed to ſuch treatment, but his con- fuſion was inexpreſſible, on the grand maſters

telling

telling him, that a king of France was not to be ſpoken to in ſuch a manner; that had it not been for the reſpect due to the character with which he was inveſted, they would have tumbled him headlong into the ſea; and laſtly, that he was to come, at a fortnight's end, to make ſatisfaction for the inſult he had been guilty of againſt the king's majeſty.

All Paleſtine was ſtricken with this peremptory indignation, but at the ſame time Lewis's life was feared for, as the barbarian's attempts, and the frantic intrepidity of thoſe charged with the execution of them, were notorious; but here the mountain-chief, ſo far from uſing vindictive meaſures, was himſelf afraid of a prince who made ſo little account of him, and immediately ſent back the ambaſſadors with preſents, both ſingular and whimſical, and curious, and magnificent: one was *a ſhirt of his own*; "denoting, that as of all garments the ſhirt "is neareſt to the body, ſo of all kings "Lewis was he with whom he deſired to "have the cloſeſt union; likewiſe a ring "of pure gold, and his name cut on it, in "token that he married him, for both to "belong wholly to one, as the fingers to "the hand." Theſe odd ſymbols were accompanied with a cheſt full of chryſtal curioſities, as an elephant, ſeveral human

figures, a chefs-board and the pieces all with gold ornaments, and ſcented with amber. The good king, though inwardly pleaſed with having humbled the barbarian, would not be outdone in generoſity, and ſent a Jacobin monk with many rich preſents, as ſcarlet garments, gold cups and goblets, and large ſilver veſſels. The religious, in his account of his commiſſion, related, that he had been received with much honour; that the mountain-chief profeſſed the law of Ali; that he entertained great reſpect for *my lord St. Peter*, whom he believed to be ſtill living, and whoſe ſoul, according to him, had ſucceſſively been that of Abel, Noah and Abraham; that he was abſolutely deſpotic in his little territory; and that when he walked abroad, a man carried his battle-axe before him, calling out, *Make way for him in whoſe hands is the death of kings.*

Account of the Court of Rome.

Hen. III.

Anno 1254. KING Lewis having publickly ſignified his intention of leaving the Holy Land, where the promiſing poſture of affairs no longer required his preſence, and of returning to France, the pope's legate took the celebrated

celebrated Joinville to his houſe, and ſhut himſelf up in his cloſet with him; then burſting into a flood of tears, and graſping his hand, ſaid, " I moſt heartily join, my " lord, in the joy you feel at the proſpect of " ſoon being in your own country again; " and God is my witneſs that I have not " been wanting in returning thanks for his " delivering you from ſo many dangers; " but on the other hand, it ſits very heavy " on me, *that I am to leave ſuch pious and* " *worthy company, and go back to the court of* " *Rome, that neſt of wicked and baſe-minded* " *creatures.*"

What ſort of a court then was that, which even a legate paints in ſuch odious colours! On conſulting the hiſtories of thoſe times, we find it the very reſidence of ambition and avarice, ſome writers deſcribing the pope as mere deſpotic in every thing, without any regard to the rights of biſhops, who, though his equals by inſtitution, he treats as his ſlaves: others make him an arrogant judge, who ſetting himſelf above law, imagines that he can at pleaſure make that lawful, which in its very nature is ſtrictly forbidden: others again repreſent him as a tyrant, regardleſs of the welfare of his ſubjects, who, to inrich his favourites or relations, confers on them legations, with full power of viſiting, or as Paſquier has it, of rifling all the

benefices of the kingdom; for the right of viſitation, as it was then called, though only the ſpawn of deſpotiſm and avidity, was carried to the moſt monſtrous exceſſes. Thence that juſt indignation of the French clergy in king Robert's time, at the Roman pontiff's ſending a prelate to conſecrate a church within the dioceſe of Tours, not only without the archbiſhop's conſent, but even againſt his declared will: *How heinous and deteſtable*, ſaid they in their repreſentation, *that a man ſitting in the apoſtolic chair, thus, with ſacrilegious preſumption, violates the ſtatutes and ordinances of the apoſtles!* Thence St. Bernard's pathetic declamations againſt a court where capacity and merit were eſtimated by the value of preſents: *Simony, concubinage, inceſt itſelf, any crime was ſure of an acquittal, if the delinquent took care to ſecond his ſollicitations with handſome preſents.* Thence thoſe warm reproaches of the ſame devout abbot to cardinal Jourdain, the pope's legate, *who has*, ſays he, *gone up and down Germany, France and Normandy, filling thoſe countries every where with ſacrileges and ſhameful exactions, inſtead of the goſpel; wronging and deſpoiling the churches, and conferring eccleſiaſtical dignities on young perſons, who had more of the world than religion in them.* From thence, laſtly, thoſe energetical verſes of the ſatyriſt Hughes de Bercy:

Rome nous ſouce et nous tranſglont,
Rome trait et detruit tout,
Dont ſourdent tous le mauvais vices.

Inſatiate Rome of all makes gains,
Rome gulls and robs, Rome fleas and drains,
From Rome all vice and woe emanes.

Baronius will have it, that ſuch paſſages were foiſted in by interpolators and heretics. If that may be true relatively to ſome, can it be thought to be the caſe of all? Beſides the palpable danger of ſuch argumentation, as it may be carried too far; let us rather ſay for the honour of modern Rome, that it has acknowledged and extirpated thoſe abuſes *. A beginning was made to the ſo much wanted reform by Lewis IX. That great prince, ſays that honeſt writer Paſ-

* How far the abuſes in the court of Rome have been extirpated, appears in ſome meaſure from the following ſtory, beſides too many evidences of a more ſerious nature which might be adduced: The Saxe-Gotha envoy at Vienna, and M. Paſſionei the pope's nuntio at the ſame court, had contracted a very intimate friendſhip. The latter, ſome time after his return to Rome, was created a cardinal; on which his old German acquaintance wrote him a congratulatory letter, aſſuring him, in the concluſion, that if he ſhould be exalted to the pontificate, he would with pleaſure take a journey to Rome to kiſs his pantouffle. The cardinal returned a very polite anſwer: *But as to the exaltation*, ſays he, *believe me, among friends, I am too honeſt a man ever to be choſen pope.*

quier, ſeeing the pope's attempts, and the oppreſſions of his miniſters, took in hand to check ſuch horrid prevarications. " With " this view it is, that for the quiet of the " Grecian church, for the dignity of divine " worſhip, for the ſalvation of believers, " for obtaining the grace and aſſiſtance of " almighty God, *on whom alone his king-* " *dom is dependant*, he iſſued that truly royal " ordinance called the *Pragmatic Sanction*: " We will and ordain," ſays he, " that the " prelates, patrons, and the ordinary col- " lators to benefices, ſhall fully enjoy their " rights, any oppoſition from Rome, by " reſervations, reverſions, or mandates not- " withſtanding; that cathedral or abbatical " churches have an entire freedom of elec- " tion; that ſimony, that foul diſgrace and " peſtilential bane of religion, be no more " heard of in France; that all eccleſiaſtical " promotions whatſoever be according to " the common law; laſtly, that the inſup- " portable exactions of the court of Rome, " by which our realm is become ſo miſerably " impoveriſhed, ſhall for the future be no " longer levied, unleſs on urgent occaſions, " and then only with our expreſs permiſ- " ſion, and the conſent of the Gallican " church."

First Provoſt of Paris. Antient Manner of promulgating the Laws and Ordinances. Origin of regiſtering Edicts and Patents.

THE counts of each province, beſides commanding the military, had antiently the adminiſtration of juſtice and the police, together with the management of the finances. In their abſence, theſe functions devolved on the viſcounts. Hugh Capet aboliſhed both theſe titles in the county of Paris, ſubſtituting that of provoſt, with the ſame prerogatives. This new officer had, together with the chief military command, a very great juridical authority at Paris, or rather preſided over the law in thoſe times, before the parliament was made ſedentary. But this important office becoming venal, the more power it gave, the worſe the abuſes of it grew, till that good prince Lewis IX. ſuppreſſed the venality of an employment, which calls for the moſt perfect diſintereſtedneſs. He looked out a long time, ſay the cotemporary hiſtorians, for *a great wiſe man*, deſerving of a poſt in which both probity and parts are ſo eſſential; and Stephen Boyleſve, a gentleman of Anjou, was the perſon of whom he made choice. The new provoſt laboured with indefatigable zeal to reſtore

Anno 1248.

order and equity, and the monarch omitted nothing for his encouragement in ſo good a work, and to raiſe an emulation in the other judges of the kingdom, being frequently preſent at the Chatelet ſeſſions, and ſitting on one ſide of his miniſter.

Boyleſve having attended the king in his croiſade, was taken priſoner at the ſiege of Damietta; and a certain proof of the great conſideration he bore in the chriſtian army, is his ranſom, being rated at two hundred pounds weight in gold, a very large ſum in thoſe days. He was the firſt who cauſed the acts of his juriſdiction to be written in ſtitched books. He began with an exact compilation of all the former regulations in the police; which makes a large folio volume, of three parts. The firſt contains all the ordinances for the police of Paris, with the ſtatutes of all the ſeveral trades, in an alphabetical order. The ſecond conſiſts of the regulations and tarif of all the king's duties levied in Paris, for proviſions and other goods. The third is a collection of precedents in the lower courts of the capital. This was originally called *the white book*; which has ſince been changed to that of *the firſt volume of the trades*, the ſtatutes relating to them taking up the greater part of it.

Here

Here it may be noticed, that the early times of the monarchy had no publick regiſter offices for taking and giving copies of the laws; and the only place for keeping the originals was the archives in the king's palace, with the cuſtody of which the chancellor alone was intruſted. On this account he is frequently termed, *the voice and the guardian of juſtice, the arſenal of right, the image of the prince, the aſſiſtant of the throne, the depoſitary of favours, the arbiter of the laws, the oracle of the ſtate*; that on our ſovereigns making any new ordinances, the chancellor tranſmitted them to the counts or chief magiſtrates of the provinces, who ſent copies to their ſubaltern officers, every one of whom cauſed them to be formally read at their ſeſſions, and in the market places. We have an edict of Charles the Great, directed to Stephen count of Paris, who proclaimed it in his city; all the officers of his juriſdiction being preſent, and ſwearing *to obſerve it for ever*. If the ordinances contained any clauſe relating to church affairs, which was not uncommon, they were likewiſe ſent to the archbiſhops, who forwarded them to the biſhops and abbots, who were to have an eye to the particulars that concerned them. Charles the *Bald* intending a freſh publication of his grandfather's and father's capitularies, orders that the counts who had no copies of them

ſhould

ſhould ſend their commiſſary and a clerk with parchment, to take copies from the originals, which for that purpoſe ſhall be removed out of his treaſury.

What had been practiſed under the firſt and ſecond race, ſubſiſted under the third for above three centuries. All edicts were depoſited in the palace archives, and from thence ſent to the bailiffs and ſtewards, as ſucceſſors to the counts, who were to cauſe them to be proclaimed at their ſeſſions, and throughout their juriſdictions. We are informed, in a manuſcript life of Lewis IX. that this truly religious prince " made ſe-" veral ordinances for the better adminiſtra-" tion of juſtice, and had them *regiſtered* " in the Chatelet court at Paris, and in the " other courts of the bailivics and ſteward-" ſhips of his kingdom." This word *regiſter*, which the author of the manuſcript uſes, is very remarkable, continues the learned author of the hiſtory of the Police, being the firſt time it occurs either in our records or elſewhere, and was then very new. Before the reign of that pious monarch, the acts were written on a ſkin, or on ſeveral ſewed together, and then were rolled up after the manner of the antients; which gave riſe to the name of *volume* or *roll*, from the Latin *volumen*, *volvere* to roll; ſo that inſtead of ſaying the *regiſters*, they were

were called the *parliament rolls*, or the rolls of ſuch a court. When, in order to the authenticity of an inſtrument, it was to be brought and entered in this public depoſitary of the juriſdiction, this was not called *regiſtering*, but barely cauſing it to be put among the public acts: *depoſitus apud acta*.

The worthy Boyleſve had led the way in digeſting collections of ſuch public acts; and on the parliament being made ſedentary, John de Montluc, court recorder, collected into bound books the principal decrees in parliament, before and even in his time; a work which was continued and greatly inlarged by his ſucceſſors. It is theſe compilations of copies which firſt brought into uſe the word *regiſter*, from the Latin *regiſtrum, quaſi iterum geſtum*, the collecting theſe acts giving them in ſome meaſure a ſecond exiſtence. They were accordingly called the *olims*, as collections of what had been done formerly, or becauſe the ſecond, which was once the firſt, begins with theſe words, *Olim homines de Banona regni noſtri*. This eſtabliſhment of regiſters is the real origin of enregiſtering the ordinances and letters patents of our kings; which are diſtinguiſhed into general or for the whole kingdom, or particular, relating only to certain juriſdictions. "The former have

" been

" been always directed to the parliament, or " other high courts, according to the mat- " ter; the other have been frequently ſent " to the provoſts, bailiffs, and ſtewards im- " mediately: our books are full of ſuch " inſtances. From this time *regiſtering* has " always been held neceſſary to the authen- " ticity and promulgation of the ſovereign's " will." *It muſt not be omitted, that the right of proclaiming or poſting up belongs in every town only to the judge, who has the territorial juriſdiction* *. *So true is this, that among the antients the word* bannum *is ſometimes taken for* publication, *and ſometimes for territory; an irrefragable proof that the territorial right and that of publication are inſeparable.*

* In the *Green Book*, fol. 106. is a decree of the parliament, of 1 March 1475, between the provoſt of Paris and the mintmaſters general, on a complaint that the latter had taken on them to make a cry in Paris in the king's name and theirs, which was an injury to his office; no cry being to be made in that city but in the name of the king and the provoſt of Paris. On which, the court, after hearing both ſides by council, decreed that in all cries and proclamations to be made conſequently to any determinations of the mint office, the crier, after the trumpets have ſounded, ſhall ſay, *Now, oyez*, hear, *In the name of our lord the king, and in the name of the provoſt of Paris*; and afterwards, *We give you to know, from our lord the king, and the honourable the mintmaſters general, that, &c.*

State of Literature under Lewis IX.

LITERATURE is generally seen to flouriſh with heroiſm; and Lewis, with a view of introducing it, or at leaſt of fixing it in his dominions, formed the deſign of collecting a library, to which every one ſhould have free acceſs. He ſometimes came himſelf, without any of the train of royalty, and took a pleaſure in explaining difficult paſſages, and many improved by his leſſons, without knowing that this complaiſant teacher was no other than the king himſelf. The taſte of his times appears in the choice of books for this royal library; they being, beſides various originals of Saint Auguſtine, Saint Ambroſe, Saint Jerom, Saint Gregory, and other orthodox fathers, a great number of copies of the Scriptures, which he cauſed to be tranſcribed from authentic manuſcripts, kept in various abbies within the kingdom; and not a ſingle piece concerning purity of language, eloquence, poetry, hiſtory or geography; ſuch a literary degeneracy prevailed amidſt the beſt intentions. *Anno* 1255.

Grammar, inſtead of being, as among the Greeks and Romans, the ſtudy of their mother tongue, turned wholly on a coarſe Latin, which had ſcarce any affinity with the Auguſtan,

Auguſtan, except the terminations of the words and of theſe the greater part were borrowed from the vulgar idiom. It was not till the middle of the twelfth century that any pieces in *Romance*, or the French of that time, appeared, and theſe were only war and love ſongs, compoſed for the entertainment of the nobility. The firſt ſerious work now known of this kind is the hiſtory of the dukes of Normandy, written in 1160, by an eccleſiaſtic of Caen, named Maiſtre Wace. Fifty years after, Geoffroy de Villehardouin wrote in proſe the hiſtory of the conqueſt of Conſtantinople; and the ſucceſs of this book animated others to write in the vulgar tongue. Soon after appeared Joinville, that true model of candid ſimplicity; and thus our language has gradually riſen to a perfection for which it is admired by all Europe. It farther appears that there was likewiſe a ſort of courſe of eloquence; a ſtrange rhetoric indeed, rather vitiating than embelliſhing the ſtile! The ſtreſs of the art was to heap up inſipid common places, without choice or order, by all means to avoid a plain natural expreſſion, and to tack together a ſtring of ſcriptural phraſes, not as proofs, but to expreſs the moſt common things. The hiſtorians, inſtead of ſaying, *Such a prince died*, would ſay, *he was gathered to his fathers*; *he went the way of all fleſh*.

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The poetry of that time was of the ſame caſt; the nurſelings of the muſes in thoſe days, with a knowlege of the Latin proſody, and the quantity of ſyllables, though very deficient in the latter, they imagined to have compoſed a poem in giving a relation of a ſtory, ſometimes in a ſtile below the moſt languid proſe, always laboured and ſtiff, and generally full of botches. Such is the life of the counteſs Matilda, by Domnizon. If La Breton in his Philippide takes ſomething of a higher flight, and gives his thoughts a better turn, he entirely owes this ſuperiority to phraſes borrowed from the antients. Guiaſt in his poem on St. Lewis, is a jejune gazetteer, without either the accuracy of an annaliſt, or the graces of an hiſtorian. The ſerious compoſitions of his age may be ſaid in general to be void of every grace; no imitation of beautiful nature, which is the very ſoul of poeſy.

Fictions and fables were the reigning taſte of that and the preceding ages; and being more affected by the marvellous than by plain truths, whatever was found written readily gained belief, without examen or diſcernment, that, till the end of the ſixteenth century, no body queſtioned but the Francs derived their origin from Francus, a ſon of Hector; as the hiſtory of Spain has been traced up to Japhet; that of Great

Britain to Brutus, and that of Scotland to Fergus: ſo Vincent de Beauvais, who lived under Lewis IX. claſſes among the real hiſtories, and on a level with Ceſar and Suetonius, the life of Charlemain by archbiſhop Turpin; yet was this religious accounted a prodigy of erudition; and the king, moved by his extraordinary reputation, appointed him preceptor to his ſons: he however had not judgment nor ſtrength of mind to riſe above certain old but very ridiculous prejudices. His hiſtory, though of ſome uſe for the times in which he wrote, ſerves, with regard to the preceding ages, only to let us know what idle tales were then currently told as unqueſtionable truths. It was the predominant humour. Every hiſtorian undertook a general hiſtory from the creation of the world, that he might have an open field for huddling together all the abſurdities of popular tradition. A like want of judgment betrayed itſelf in the cultivation of geography, being ſtudied only from the antients; as if the face of the earth had not undergone any change. Bagdat or Grand Cairo, though cities of a recent date, were ſtill affirmed to be Babylon, which had been deſtroyed above eight hundred years before: not the leaſt inquiry was made concerning the true ſituation of places, or the diſpoſition of the country in Paleſtine, though the theatre of ſo important a war; and to

this

this neglect were in a great measure owing the terrible defeats and distresses of the Croises, their armies perishing amidst unknown mountains, desarts, and impracticable wastes.

Logic, from being the art of reasoning justly, was degenerated into an ostentatious exercise of futile altercations, cavils, and empty subtleties. The general part of physics consisted purely of a multitude of scientifical terms, but expressing no more than what every one knew without that parade of literature; and in particulars it dealt chiefly in fables and erroneous suppositions, without consulting experience, or even nature. Aristotle was the infallible doctor and test of all truths. A prevailing weakness of that time was to confine all one's study on any subject to a single book, without ever looking farther. Morality exhibited only an informous compound of probable opinions: a custom of commenting on *speciosities* of all kinds most unhappily brought them into the system of manners.

Such was the infectious source of the relaxation so palpable in the later casuists. The thirteenth century was, as it were, the nursery of those baneful *probabilities* which have nearly perverted the whole Christian world. The like spirit shews itself in both the positive and scholastic theology of that time. It

was allowed, as at preſent, that the ſole foundation of the former was ſcripture and tradition: but, whether from a falſe taſte or ignorance of the original language, or both together, the ſpiritual ſenſe was minded more than the literal. From this infatuation ſprung thoſe famous allegories of the two ſwords and the two luminaries, which have cauſed ſuch confuſions: the inference from the latter is, that the prieſthood, like the ſun, enlightens by its own light, but that the ſovereign, like the moon, has only a borrowed light and virtue. From the former it has been concluded that both powers belong to the church, becauſe the apoſtles have two ſwords; but that the prieſthood is pleaſed to intruſt the prince with bearing the temporal, itſelf exerciſing only the ſpiritual. The broacher of this ſingular morality was Jeffrey de Vendome, and John of Saliſbury carried it ſo far as to ſay, that the prince having received the ſword from the church, ſhe has a right to take it from him. The frenzy of the age would needs ſtrike out ſomething myſtical from what was purely hiſtorical; it would not take in the plain meaning of Jeſus Chriſt's words, where he clearly, and without figure or parable, declares, *My kingdom is not of this world. The kings of nations exerciſe dominion over them, but it ſhall not be ſo with you.*

It is, however, matter of wonder, that the doctors of thoſe ignorant ages, ſo little converſant with critical literature, have ſo faithfully preſerved the law committed to their charge, as to its doctrine. This is a praiſe not to be denied them; yet are we not to conclude from thence, that they had attained to perfection; no, the pompous titles conferred on them rather betray the enthuſiaſm and bad taſte of the time, than prove the merit of thoſe writers thus diſtinguiſhed. Albertus is ſurnamed *Magnus*, as if no leſs eminent among divines than Alexander among warriors. Scot is ſtiled the *ſubtile doctor*, Thomas Acquinas *the angel of the ſchool, or the angelic doctor*; Bonaventure *the ſeraphic doctor:* others have been dignified with the lofty epithets of *irrefragable, illuminated, deciſive, ſolemn*, and *univerſal*. Inſtead of being dazzled by theſe ſplendid names, let us rather judge of theſe literary heroes by their very works. We ſhall find them numerous and bulky volumes, which will give room to apprehend, that the authors, of whom ſeveral died in no advanced age, did not take time to meditate; their diction is coarſe, different from all common languages, and from genuine Latin, though formed from it; as if the didactic kind excluded purity of expreſſion, and that perſpicuity, plainneſs, and accuracy, required an author to be low, flat,

jejune, and barbarous; a heap of opinions and doubts, (as *methinks, it is probable, it may be ſaid)* little demonſtration, nothing of criticiſm: all theology was contained in the *maſter of the ſentences* (Chartier) all the canon law in Gratian, and all underſtanding of the ſcripture in the *vulgar comment*, without any farther diſquiſitions; laſtly, a dry, formal, laboured ſtile, neither uſeful in the matter, nor pleaſing in its manner. And thoſe immenſe books, ſome printed, ſome in manuſcript, now lie buried in the duſt of large libraries, ſad monuments of the authors tedious prolixity, and of the vicious taſte of the age which could digeſt ſuch compoſitions.

Family Wars.

Hen. III.

Anno 1255. THE love of peace was a leading principle with Lewis IX. that his courtiers would often blame him for his mediation in the quarrels of foreigners; *let them fight on, we ſhall make the better bargains with them*; whereas he poſtponed all political views to the cultivation of tranquillity; but the principal object of his attention was to aboliſh *private wars*, which, amidſt a profound foreign peace, often made the kingdom a ſcene of

of ſlaughter and devaſtation. Every lord of a fief conceived he might right himſelf by force of arms, without any previous application to the ſovereign; a privilege in ſome meaſure raiſing them to a level with kings, being indeed the fineſt prerogative of royalty; yet was their claim grounded both on the public law of their German anceſtors, and a cuſtom held inviolable, under the princes of the firſt race. On any open quarrel between particular perſons, the whole neighbourhood embarked in it, fighting battles, beſieging and demoliſhing houſes, and ravaging the country with all the violences of war, and the ſtrongeſt was ever in the right.

Lords of fief alone had a right of making war; and for this plain reaſon, that a commoner, being then incapable of holding a fief, of courſe had no vaſſals to form a body of troops. Biſhops, abbots, and monks themſelves, who were proprietors of ſuch lands, were likewiſe intitled to this ruinous privilege: but their function not allowing them to bear arms, they uſed to have recourſe to their *avoués*, or patrons, who raiſed the vaſſals, and conducted the war for them. On any diſpute between a gentleman and a commoner, the latter, to ſecure himſelf, was obliged to petition for *aſſurement*, and this was not to be denied him. In caſe he neglected ſuch requiſition, and had done the

wrong, he might be proceeded againſt in a hoſtile manner; but if the gentleman was the aggreſſor, the diſpute was then to be decided in the common courſe of law. Our hiſtory, however, affords many monuments which apparently prove, that, beſides the nobility, cities, towns, in ſhort all above villenage, imagined themſelves qualified to make uſe of arms for revenging any injuries done to them. Chilperic dying, ſays Gregory de Tours, the townſmen of Orleans and Blois fell like ſo many furies on the Dunois, maſſacred all who fell into their hands, burned the houſes, the grain, drove away the cattle, and ſeized on whatever was portable: thus they were returning full of exultation, and every one loaded with plunder, when the injured party, joined by the people of Charters, ſuddenly attacked the invaders, and acted their part againſt themſelves, deſtroying their dwellings and fields. Both parties were now exaſperated, and more eager to damage the enemy than intent on their own ſecurity, till the counts interpoſing, brought them to conclude a truce till next ſeſſions, when the party in fault was to aſk *compoſition*.

Arms were not to be uſed for every ſort of injury; the crime muſt have been cruel, public, and of which the common legal puniſhment was death, a *villainous miſdeed*, as

as murder, adultery, or diſgraceful treatment. Of theſe Gregory de Tours relates many examples. A young man had often reproved his brother-in-law for his flagrant licentiouſneſs, and even contumelious treatment of an irreproachable wife, till the profligate, incenſed at theſe repreſentations of his guilt, ſtruck the admoniſher; a fray enſued, in which both fell, together with their companions, only one ſurviving, as having no antagoniſts. This event kindled a furious war between the two families, that neither Queen Fredegonda's remonſtrances, nor even menaces, could put a ſtop to it. Treachery, however, brought about what authority had failed in; the Queen invited three of the moſt refractory to a banquet, and after making them drunk, cauſed them to be killed with battle-axes at the very table. A woman at Paris, being ſtrongly ſuſpected of adultery, her kinſmen applied to her father. "Let the baſe wretch leave off her ſcandalous ways, or be put to death, that ſhe may no longer be an open diſgrace to the family." "I know my daughter better," anſwered he; "the report about her is all falſe, and mere ſlander, and I am ready to certify her innocence upon oath." The company hereupon repaired to the tomb of the apoſtle of France, where, with his hand on the altar, he made oath that his daughter was virtuous, and wrongfully accuſed.

The huſband's relations called out as with one voice, that he ſwore to a lie, and was perjured. On this reproach ſwords were drawn, ſeveral killed in the very chancel, and the tomb of the venerable martyr profaned with human blood. Application was made to the King, who would not ſo much as admit them to a hearing, though perſons who made a great figure at court, referring them to be tried by the biſhop, who, in his Chriſtian lenity, having brought them to a ſincere reconciliation, was pleaſed to overlook the particulars of this horrid tranſaction, and admitted them to church communion, except the abandoned woman, who prevented her trial by ſtrangling herſelf.

It is, however, obſerved, that murder and diſhonour were not the only cauſes of theſe wars; ſome appear to have been undertaken on leſs intereſting accounts, as that between Count Thibaut and the Queen of Cyprus, for the ſucceſſion of the county of Champagne. Such were moſt of thoſe ſanguinary conteſts ſo frequent in our hiſtory, and for concerns in which redreſs is now to be ſought only in the common courſe of the law.

Farther, the right of avenging an injury by force of arms did not take away from the lord of the delinquent the power of having him

him arreſted, condemned, and delivered up to puniſhment by the officers of juſtice, according to the quality of his crime: and this power even ſubſiſted after the concluſion of a peace between the contending parties, provided the peace had not been made by the mediation of the King, or of the baron, the delinquent's lord; *becauſe*, ſays an eminent lawyer, *they who commit treſpaſſes do not treſpaſs only againſt their adverſary, or againſt his relations and iſſue, but againſt the lords who have them in their ſafeguard and controul.*

War was declared either by an overt act, as threatening with a weapon in a ſudden quarrel, and all preſent were to ſide with him in whoſe company they were, or to whoſe retinue they belonged; or by words, as threatening an enemy to *abuſe* his body, or ſending him a written challenge which was called *letters of defiance*, or a verbal: but, for theſe denunciations, our hiſtory ſhews, that inſtead of only heralds or kings at arms, it was uſual to employ perſons of the higheſt diſtinction, knights, and even biſhops and abbots. An old romance lets us likewiſe into another mode of making theſe declarations; a gentleman being affronted, takes the two lappets of his gown, and ſhakes them in the aggreſſor's face, with theſe words, *Gilbert, I challenge you.* The law prohibited all ſurpriſe and treachery;

the declarations of hoſtilities were to be clear, explicit, and preciſe, beyond any poſſibility of a miſtake; an enemy was not to be attacked till the third day from the challenge, which the law farther enjoined to be proclaimed in the uſual place of abode of him againſt whom war was declared. Whoever failed in theſe formalities was accounted a traitor and poltroon, and deſerving to be baniſhed and outlawed.

He who declared war to revenge an injury was termed *Chevetaigne*, or *Quievetaine*, and all of his lineage were obliged to engage in it. The quarrels of every individual were then thoſe of the whole family, and the enmities or affections were not only devolved to, but were the real buſineſs and concern of every member, as wounding or killing a perſon was expoſing one's ſelf and whole family to the diſcretion of his kinſfolks, all and each of them having a right to take vengeance on the offender's perſon and eſtate, and all his kindred; that frequently a perſon ſaw himſelf ſuddenly aſſaulted by ſtrangers, with whom he never had dealings of any kind, for the fault of another, and even without his knowing any thing of the matter. All, however, were not obliged to take arms on theſe occaſions, cuſtom diſpenſing at a certain degree, as antiently from the ſeventh, where conſanguinity

guinity was accounted to ceaſe, and ſince from the fourth, where the church allows of matrimony. Notwithſtanding this diſpenſation, ſuch kinſmen, and even mere acquaintance, were at liberty to take part in the rupture, yet with obſervance of the formalities required, otherwiſe they were looked on as treacherous cowards. This diſpenſation farther extended to them whoſe age, ſex, or profeſſion, were incompatible with war; likewiſe to perſons in hoſpitals, or who, at the moment of the quarrel, had liſted in a croiſade, vowed ſome remote pilgrimage, or were ſent to a foreign court on public ſervice. Though the bare act was accounted a challenge to all preſent, yet might a perſon withdraw himſelf from the war, by ſummoning the party before the lord, and there making a ſolemn proteſtation that he had no hand in the *miſdeed*, that he diſapproved of it, and that he would not hereafter, directly or indirectly, give any aid or ſuccour againſt the perſon injured. On taking this oath, the lord was to give the *aſſurement*, but for the perſon only; and not this, if peremptorily charged with the action which had cauſed the quarrel. The very neareſt relations were not ſo far bound to proſecute any injury done to one of their family, as not to be exempted by renouncing conſanguinity. The Salic law, and other inſtitutes of thoſe times, are very particular

ticular in the ceremonial of this abjuration. But this excluded the renouncer from inheriting, or from any ſhare in the fines or other emoluments ariſing from compoſitions; for the delinquent was allowed to redeem himſelf from revenge by paying a certain ſum, agreeably to the jocular ſaying of one Sichaire, who lived under Childebert II. *that Chramiſind was not a little obliged to him for killing all his relations, his many compoſitions for thoſe affairs having made him a rich man; whereas before he was little better than a beggar.*

It has been inferred from the obligation on all the lineage to ſecond the quarrel of the family, that two own brothers could not make war on each other, whatever provocation one may have given: the reaſon is, ſays Beaumanoir, that all their relations are common, and in the like degree; in ſuch caſes, adds he, the lord is ſeverely to puniſh the offender. It was otherwiſe with half-brothers, their kindred being different. Though every gentleman holding a fief was impowered to make war, yet could he neither attack or challenge his lord paramount; the only remedy open to him was the ſummoning his lord before his peers, or the King. If he acted otherwiſe, even in caſes of treachery or murder, the law confiſcated all his fiefs.

The

The *Chevetaigne*'s vaſſals, his domeſtics, all who owed him aid *on account of lordſhip*, were likewiſe included in theſe particular wars; yet could not be attacked, unleſs in arms, and attending on their lord. When withdrawn to their homes, the law prohibited any hoſtility to be committed againſt them, becauſe, in ſerving on ſuch occaſions, they had only acted up to their duty as faithful ſubjects. They who ſerved either of the parties for pay were on the like footing, and held to be at war no longer than whilſt under their paymaſter's banner. On leaving him, either as diſmiſſed, or the time of their ſervice being expired, or without any other reaſon than their mere will, they were no longer to be treated as enemies. They who held certain fiefs, which our old deeds call *rendables*, or *receptables*, were bound to a particular ſubjection, the nature of which their very appellation expreſſes. They were called *rendables*, when held by the vaſſal on condition not only of ſurrendering up to the lord paramount the caſtles and ſtrong holds within their dependence, but even to quit them with their whole family, and not returning till forty days after the end of the war. They were called *receptable* when held by the feudatory, not to quit the ſtrong places in which lay his ſafety, but to receive the lord into them on his demanding ſhelter. Both are likewiſe termed *juratle*, on account

of

of the vaſſal's taking a particular oath to deliver up his caſtles, or receive his lord whenever required, and conform to every duty of the tenure. Nothing was at that time more common than theſe ſorts of fiefs, as no fortified place could be erected without the lord's licence, and he frequently tacked ſuch conditions to his grants.

Theſe wars appear, in our hiſtories, to have been terminated in various manners, by a peace, by a duel, or a judicial decree. The peace was negotiated in all the forms, well guarantied, and afterwards entered in the lord paramount's court. Here follows a form of ſuch regiſtering, as it ſtands among the inſtruments of the *great days* at Troies. "This is the peace of Raolin d'Argées, of "his children, and of their lineage, on one "part; and of l'Hermite de Stanory, of his "children, of their lineage, and of all their "conſorts, on the other part. L'Hermite, "together with ſeven of his friends, have "ſworn on the ſaints that he did not take "pleaſure in Raolin's death, but it was matter of great anguiſh to him: he has likewiſe given a hundred livres to found a "chapel to ſing for the reſt of the deceaſed's "ſoul: he has farther engaged to ſend one "of his ſons into Paleſtine without delay, "from whence he ſhall return whenever he "will, provided he bring good certificates

"of

" of his having made that holy voyage. " The d'Argées declare, that on thoſe con- " ditions there is true and good peace be- " tween the two families, and requeſt that " the lords of the ſeſſion do give written " teſtimonials of it, l'Hermite's children ſo " requiring. This treaty was brought by " three gentlemen to the court of Cham- " pagne, which received it, and cauſed it " to be entered on record, ſave the King's " or any other perſon's right."

On the ſigning of a peace, the two chiefs were to give notice of it to their relations, who, from that moment, whether they had aſſiſted at the treaty, or whether it had been concluded without their knowledge or aſſent, were to ceaſe from any act of hoſtility. Kinſmen of the family refuſing to ſubſcribe the agreement, they were obliged to ſignify the ſame: on their failure, and any misfortune reſulting from it, they ſtood charged with *breaking the peace*, which was a hanging matter. Thoſe kinſmen who were for continuing the war, were to make a verbal, or ſend a written declaration of their purpoſe; but in this caſe could not be aided either by thoſe who had made peace, nor by thoſe of the lineage who had taken part in the quarrel, unleſs the latter had likewiſe notified their diſpoſitions; being otherwiſe liable to be arraigned for treachery,

and

and breaking the peace. Formal treaties were not eſſentially neceſſary for putting an end to theſe private diſſentions: eating, drinking, or converſing with an enemy, or declaring before his friends, or other perſons of honour, or a judge, that it was one's ſincere purpoſe to cultivate a good underſtanding with him, were conſtrued to be making peace. Any ſubſequent act of violence or hoſtile procedure was ſo far accounted treachery, as to render the offender liable to a juridical proſecution.

The *aſſurement* or ſecurity was another way of finiſhing the war, and conducted in theſe forms: the chief who was againſt taking arms, or who afterwards found himſelf unequal to the war, applied to his lord or his juſticiary, that his adverſary ſhould give him *aſſurement* that he would not attack him either in his perſon, his eſtate, or his kindred, referring the cauſe of their quarrel to the quiet determination of the law. The lord was obliged to defer to this requeſt, and order the party not only to comply with whatever was aſked, but to cauſe all his relations to ſign it. On a breach of the *aſſurement*, both the infractor, and even the giver, though not privy to the violation, fell under the law as traitors. The penalty was ſuited to the conſequences of the infraction: if any one had been killed, it was to be *drawn*

and

and hanged; if the breach had ended only in ſome wounds, the delinquent, beſides a long impriſonment, paid ſuch a fine as the lord impoſed.

If any murder had been committed, *aſſurement* was required from the deceaſed perſon's neareſt relation; if the affair had gone no farther than a wound or blows, it was required from the perſon himſelf who had been wounded or ſtricken: if any one abſconded to avoid giving *aſſurement*, the lord cauſed him to be ſummoned to make his appearance within fifteen days, and in the mean time, poſted guards to prevent any violence. On the expiration of the reſpites, that is, after four ſummons of the like interval, on his non-appearance at his lord's court of juſtice, he was declared to be under baniſhment, and *aſſurement* demanded of the neareſt kinſman; on his refuſal, the lord himſelf took the quarrel in hand, and forbad both parties, under forfeiture of body and of eſtate, uſing violence in obtaining or repelling revenge. *Aſſurement* was mutual, both on his part who aſked it and who gave it, and was likewiſe digeſted into a deed ſigned by guarantees. The following form occurs in Ducheſne's collections of the hiſtories of France: " I Henry II. King " of England, do inſure to Lewis VII. King " of the French, as to our lord, his life,

" limbs, honour and eſtate, if he himſelf
" inſure the like to us as his faithful liege-
" man. We agree, from the veneration we
" bear him, to make peace with earl Thi-
" baut; and in regard to the archbiſhop
" of Rheims, the biſhop of Noyon, the
" earls of Flanders and of Saxony, are
" willing to forbear all hoſtilities. If this
" be not ſufficient, we farther offer, from
" reſpect for our lord the King, that four
" men ſhall ſwear in our behalf, provided
" the ſaid earl cauſe four perſons, well ac-
" quainted with our difference, to ſwear in
" his behalf. If, after this, we owe him
" any farther ſervice, we are ready to per-
" form it. The remainder of our inten-
" tions we ſhall more clearly make known
" with our own mouth."

Another way of putting an end to the war was by duel; that is, the continuance of it was highly criminal, when after a hearing before judges, they had ordered the quarrel to be decided by ſingle combat, which was frequently the caſe. Laſtly, every violent procedure was prohibited, after the delinquent had by law ſuffered death for the crime which occaſioned the quarrel. Such were the laws of theſe private wars, which cuſtom too much authorized in the greater part of Europe, no leſs than in France; a ferocious cuſtom which the founders of the monarchy

monarchy brought into Gaul, and which their deſcendants ſo long adopted with ſuch vindictive impetuoſity.

Charlemain, and his grandſon Charles *the bald*, omitted nothing, if not totally to ſuppreſs ſo deſtructive an uſage, at leaſt to put a ſtop to the horrors conſequential to ſuch violence. The counts were ordered to pronounce an irrevocable ſentence of baniſhment on ſuch who refuſed either to pay or accept a compoſition, and the penalty was ſtill more ſevere againſt burning vineyards or ſtanding corn. To this wiſe regulation Hugh Capet added very ſevere ordinances againſt killing cattle. Frederic II. went ſtill farther, prohibiting by edict all forcible meaſures on the penalty of death; but ſo tenacious were the nobility of this imaginary privilege, that Sovereigns found themſelves obliged not to extend their care beyond reſtraining the barbarities and devaſtations committed in ſuch proceedings; a beginning was made, by inflicting death on certain acts of violence, as burning houſes, ſlaughtering flocks and herds, and plundering effects: afterwards, a truce or ſuſpenſion of arms was ordered to be obſerved on certain days. St. Lewis, in his zeal for extirpating ſuch enormities, iſſued an edict, allowing the relations forty days to prepare for war, or take meaſures for avoiding it; he farther inveſted

all barons with a power of obliging to give ſecurity, which before could not be done but at the demand of one of the parties; and by a third edict, he abſolutely prohibited all family wars throughout his kingdom, directing the counts, to puniſh with the uttermoſt rigour, all who took up arms in proſecution of their private quarrels, who ſet fire to houſes or corn, or moleſted the huſbandman in his tillage.

It appears that he was duly obeyed, the barons, ſays one of his hiſtorians, bore him ſuch veneration, that even during his abſence in Paleſtine, there are few inſtances of his orders being countervened, or the offender ſoon paid the penalty of his perverſeneſs. But ſo deep was the evil, that Philip the *handſome* ſoon found the neceſſity of renewing thoſe ſalutary ordinances, and prohibited, under *penalty of death, and confiſcation of goods and eſtate*, every Frenchman, of whatever degree, from going about to do themſelves juſtice, *till he ſhould have made known his farther will and pleaſure*. Yet did the nobility of ſeveral provinces, require in a tumultuous manner, that they ſhould be privileged *to make war, to countergage, and to handle weapons whenever they pleaſed*, and the monarch found it adviſeable to allow them *war according to the manner and form of their reſpective countries*; and our Kings

ſaw

ſaw themſelves reduced to make uſe of their wars as a plea for hindering thoſe which their vaſſals conceited to have a right of making againſt one another; a reſtriction to which the happineſs of France ſoon put an end. The prerogative gradually gained ground, and King John had the reſolution peremptorily to forbid challenges, and the *uſages of making war*, even when the ſtate enjoyed a profound peace. The ſucceſſive attentions of our Kings for extirminating that abominable cuſtom, together with many ſevere acts of the parliaments againſt it, have at length aboliſhed private wars throughout the whole kingdom. Germany is indeed the only country where ſuch procedures ſubſiſt, the emperors, whether from moderation or weakneſs, having not yet been able to hinder their great vaſſals from maintaining themſelves in that improper privilege.

Diſturbances in the univerſity of Paris; Lewis IX. *perſuaded to embrace the monaſtic ſtate.*

THE univerſity of Paris was at that time greatly diſturbed by the ambition of the mendicant friars, who forgetting its favours, affected independency, and aimed at riſing on its ruins by an increaſe of their ſchools. At length it ſaw the great danger of allowing thoſe who pretended to an exemption from all juriſdiction

to get footing; and ſoon after appeared a ſtatute prohibiting thoſe orders, from having more than one *regent* in each of their colleges, threatening excluſion to thoſe who refuſed ſubmiſſion to that decree. The Jacobins, elate with the high conſideration in which they then ſtood, openly declared againſt a derogatory limitation; being the only regulars called to the council of princes, and ſelected for their confeſſors, they imagined themſelves at liberty to pay no farther regard to the deliberations of aſſemblies, than ſuited their inclination or conveniency. Four ſcholars had been inſulted by the city watch, one killed on the ſpot, the three others wounded, ſtripped and thrown into priſon. The univerſity, diſguſted at the reparation ordered by the miniſtry, as inadequate, reſolved that the lectures ſhould be ſuſpended, and that every member ſhould oblige himſelf by oath, to join in the proſecution of a more conſpicuous revenge; at length, it obtained farther ſatisfaction, two of the offenders were hanged and drawn along the ſtreets, the others baniſhed: but three doctors who were regulars, two Jacobins, and a Cordelier, had refuſed ſubſcribing the oath; this produced an act, that no profeſſor, from that time forward ſhould be admitted till he had ſworn to obſerve the common deliberations, which the preaching-brethren refuſed, without a grant of the two profeſſorſhips, which

which they demanded. It being thought proper to make an example of ſuch contumacy, they were excommunicated by virtue of a papal mandate, and publick proclamation of their diſgrace was made in all the ſchools. The Proſcribed enraged at this ſingular anathema, forgot their primitive humility, and not only defaming their adverſaries as iniquitous perſecutors, they accuſed them of plotting both againſt the ſtate and againſt religion; they even turned the deaf ear to the government's mediation for an amicable agreement, and appealed to the holy ſee; too common a reſource in bad cauſes, as not to be ſo effectually canvaſſed as on the ſpot.

The Pope, Innocent IV. without deciding any thing concerning the new ſtatutes, iſſued a proviſional order that the univerſity ſhould receive the mendicants within its pale, till on better information he could pronounce a definitive ſentence. The biſhop of Evereux, who was commiſſioned to execute the brief, ſubſtituted a prebend of Paris, who being intirely devoted to the Jacobins, immediately ſuſpended the profeſſors, and, by an act, declared that more than forty doctors had aſſented to the reſtoration of the regulars: but all the ſeveral faculties joining in charging the act with falſity, he was obliged ſolemnly to diſown it. The famous decree

of ſeparation was proclaimed in all the ſchools a ſecond time, and orders had been given for reading it even in thoſe of the *predicant-brethren*, but theſe being very numerous, fell upon the beadles, tore the inflammatory paper out of their hands, and beat them unmercifully: and the rector himſelf coming up with three maſters of arts, they underwent the like treatment, ſo that the quarrel became more vehement than ever.

Whilſt the brethren were indefatigable in cabals to decry their adverſaries, and in intrigues to gain over partiſans, the doctors deluged the publick with writings in juſtification of their proceedings; among others, in a letter addreſſed to the whole church, of which they ſtile themſelves the *foundation*; if the univerſity be ſhaken, ſay they, it is to be feared that the whole building will fall. About the ſame time came out two books which made a great noiſe: one the *eternal goſpel*, the other *introduction to the eternal goſpel*, both taught "that Jeſus "Chriſt's goſpel does not lead to perfec-"tion; that after laſting twelve hundred "and ſixty years, it, together with the "church, the ſacraments and clerical order, "will be aboliſhed; that it will be replaced "by the goſpel of the Holy Ghoſt, eſta-"bliſhing a more perfect prieſthood,

"and

" and laying down more holy rules of " manners." This impious ſyſtem ſwarmed with extravagancies on the hierarchy, on the Pope, on the commencement of an order more excellent than all the others; " no " man being capable of inſtructing others in " ſpiritual things, unleſs he goes bare- " footed." The univerſity ever zealous againſt error, threw the odium of ſuch doctrines on the Jacobins and the Cordeliers; and the condemnation of thoſe books was ſuſpended purely by the death of Innocent: but on authentic information that the Mendicants, by means of ſome indiſcreet bulls, carried their infringements on the ſecular clergy too far, he ſuppreſſed all the ſaid bulls as abuſive, forbad the Regulars taking on them any function injurious to the rights of the ſuperior eccleſiaſticks, and which might draw aſide the people from the parochial inſtructions; laſtly, he deprived them of the power of abſolving, but with permiſſion of the prieſts, and thus he reſtored the order of the hierarchy, and the honour of the prieſthood.

Alexander IV. within five days after his exaltation, annulled that very wiſe bull of his predeceſſor, and under a plea which muſt ſound ſomething ſtrange from a Pope's mouth, becauſe, ſays he, it iſſued from preposſeſſion and without mature deliberation: the

the conſequences of ſuch an acknowledgement are manifeſt; what then becomes of the See's infallibility? This repeal was however only the prelude of his favours towards the mendicants, being ſoon followed by briefs upon briefs, all thundering out the moſt terrible anathemas, if the univerſity delayed reſtoring the two Jacobins. Hereupon it determined to appeal to the pope's better information, and to diſperſe, ſome into the country, others into different parts of the town, proteſting that they would have no intercourſe whatever with ambitious incendiaries, whoſe rancour kindled a combuſtion through the whole church. But without any effect, the two biſhops, Alexander's commiſſaries, diſregarding all the profeſſors repreſentations, pronounced ſentence of excommunication againſt them; and at Rome the Pope continued hurling his bolts on thoſe who were for reaſoning about his orders. It was at length, after many negotiations, agreed that the brothers ſhould never have above two ſchools; that they ſhould be for ever ſeparated from the body of the Paris maſters, unleſs voluntarily recalled; and the Jacobins farther promiſed to uſe all their intereſt for obtaining a revocation of the ſeveral ſentences pronounced againſt their adverſaries. They did accordingly preſent a petition to Alexander, who, inſtead of complying, iſſued a thundering brief,

brief, ſetting forth this compact in the blackeſt colours, though concluded by the chief prelates of France, and authorized by the King himſelf, ſo eloquent is paſſion in magnifying the moſt minute objects! A piece intitled *the perils of the laſt times*, written by Saint Amour, an univerſity doctor, blew the coals.

It was a keen ſatire, which without names, contained a horrible portraiture of thoſe upſtarts, who crept into the church purely to kindle confuſion and animoſity; of thoſe haughty drones infeſting all places, and who overturning the order of the hierarchy, thruſt themſelves into the miniſtry without any paſtoral call or induction: of thoſe ſturdy beggars who were ſcourged out of policed ſtates, thoſe ſelf-loving caitiffs, deſerters of the monaſtic life, who at any rate ſollicit the favours of the world, and were fond of living in the courts of princes. It was no difficult matter at that time to apply theſe ſarcaſms: the Jacobins were openly named and inſulted in the ſtreets, and people withheld the liberal alms they uſed to give them; the monachal ſelf-love was not wanting to ſhew its ſenſibility to ſuch mortifying circumſtances; they reported the book to the Pope; and Thomas Aquinas, ſo celebrated both for ſublimity of genius, and the ſanctity of his life, being of the order, was

appointed

appointed to vindicate the perſecuted mendicants, and in the diſcharge of ſo honourable a commiſſion, he was ſaid to have ſurpaſſed his very ſelf. Bonaventure, a Cordelier, equally diſtinguiſhed in the ſchools by his erudition, and the church by his virtues, likewiſe drew his pen for the common cauſe, and with the like energy; but the firſt impreſſions ſtill remained, and all places rang with ſatires and ſongs, in which the Mendicants were not ſpared.

Alexander, enraged at the little reſpect ſhewn to his bulls, declared Saint Amour, and three other eminent doctors, degraded of every dignity and incapable of teaching. The like penalties were threatened to their followers unleſs they immediately ſubmitted. This brief was accompanied by two others; one for the King, intreating him to cauſe the leader of the rebels to be apprehended, the other to the archbiſhop of Paris, with orders to declare them who did not obey without reſervation, excommunicated to all intents and purpoſes; but the prelate was all for pacific meaſures, and Lewis abhorred violence. A national council was propoſed for allaying theſe diſturbances: the univerſity paſſionately deſired it, but the general of the Jacobins, being then at Paris, anſwered, that his order was ſpread all over the univerſe, and that the deciſions of the council

would

would be admitted only in France. Saint Amour and his three colleagues took a journey into Italy purely to clear themſelves before the pope, but he ſcarce allowed them a hearing, and the book of *the perils of the laſt times* was proſcribed not as heretical, but as an impious and abominable work, tending to cool the charity of the faithful towards the Mendicants, *and giving great offence to thoſe good fathers.* A like anathema was indeed fulminated againſt the *eternal goſpel*, but not ſo much, on account of its execrable contents, as becauſe the French clergy ſolicited the condemnation of it: but what proves too much againſt Alexander is, that by his orders the former was burned publickly, and the latter very privately, only ten ſelect perſons being preſent, *leſt it might bring a ſtain on the reputation of the Cordeliers.* Saint Amour, on ſo glaring a partiality, had the reſolution to ſay in a court, where he had every thing to fear, that *in St. Hilary's time the pope himſelf lapſed into hereſy.* He was however only forbidden ever returning home, or preaching and teaching any where, under penalty of being excommunicated and indicted of perjury; and immediately appeared a bull, diſcharging the moſt rigorous anathemas againſt ſuch who perſiſted in their ſeparation from the Jacobins. The doctors, after three ſolemn meetings, at length concluded for obedience.

It was agreed that Bonaventure and Thomas Aquinas ſhould be created doctors, and all Mendicants hereafter found qualified for that degree, to be admitted without diſtinction, but ever to hold only the loweſt rank in the univerſity. So ended in 1260, this famous quarrel, in which Alexander may be ſaid to have ſhewn too much partiality, Lewis eaſineſs, the univerſity inflexibility, and the Mendicants reſentment. That a profeſſorſhip or a trenchercap, more or leſs in a city, ſhould throw the whole nation and church into ſuch variance and animoſity, would in our times be matter of laughter, whereas it was then accounted a matter of high moment. Moſt things are great or ſmall as our paſſions or our ignorance make them. The King's lenity might in part ariſe from the learning and piety, particularly conſpicuous in the then infant orders of the Cordeliers and Jacobins, or poſſibly from his inclination to the monaſtic ſtate; and the Jacobins being honoured with his predilection, and even familiarity, they were not without hopes of drawing him into their order. Diſcourſing with them one day, about Mary's felicity in bearing the ſon of God within her immaculate loins, "Sire," ſaid one of the brethren with a reſpectful addreſs, "would "you not willingly hold in your hands what "the holy virgin held incloſed within her "boſom?" Unqueſtionally, ſaid the monarch.

" You know my lord continued the pious " recluſe, what is ſaid in the goſpel: who- " ever ſhall leave his father or his mother, " or his wife or his children, or his eſtate " for my ſake, he ſhall receive a hundred " fold, and poſſeſs eternal life: dare, ſire, " dare aſpire to the uttermoſt ſummit of " perfection. You have heirs entirely ca- " pable of well governing your kingdom. " It has hitherto been your happineſs to " ſuffer much for God; you have twenty " times been ſeen expoſing your life for the " glory of his name: what remains for you " is to leave all and take on you the croſs, " that is our habit. Thus, ſhall you from " ſtep to ſtep attain to the ſacerdotal office, " and your recompence will be to receive " Jeſus Chriſt into your hands." Stricken with ſuch diſcourſe, the King remained for ſome time abſorbed in thought. The dangers of the world, and the arduous duties of royalty, with the ineſtimable ſweetneſs of devout retirement, far from the intruſions of profane worldlings, preſented themſelves at once to his view. " If what I hear," ſaid he, " be true, as I firmly both in mind and " heart believe, I will conform to your ad- " vice; but without the queen's conſent I " can do nothing; neither virtue nor my " engagements to her allow of altering my " condition without her participation."

He

He returned directly to the palace, goes up to his wife's apartment and opens to her his thoughts of delivering up to her and his children, the chief crown in the univerſe, adding, that as a religious and a prieſt, he will be inceſſant in prayer to God for them and the proſperity of the ſtate: and laſtly, intreats her by all that is ſacred, not to oppoſe a deſign which he had ſo much at heart, both from reflection and as a divine inſpiration. Margaret, thunderſtruck at this overture, made no anſwer, but ſending for her children, aſked them in the preſence of the count of Anjou, whom ſhe had likewiſe ſent for, whether they had rather be called a prieſt's than a king's ſons? for, ſays ſhe, the Jacobins have ſo bewitched the King your father, that he is for abdicating the crown, and turning a preacher and prieſt. The count of Anjou flew into a flame, ſo as to behave inſolently towards his brother, threatened the deceivers with the ſevereſt puniſhments, and actually forbad their preaching within his territories, or ſo much as to give them alms. Lewis, the monarch's eldeſt ſon, was as little maſter of himſelf, breaking out into ſuch invectives againſt them, that the king is ſaid to have ſtricken him. "My lord," ſaid the young prince, with great emotion, "never will I "forget the reſpect I owe you: who, indeed,

"but

but my father and my king ſhould ſtrike me, without being made ſeverely to rue it? But if ever Heaven places me on the throne, I ſwear by my Lord St. Dennis our patron, that I will drive all theſe preachers out of the kingdom. Such a combined oppoſition gave a turn to the good king's ideas; he now began to fear that his determination for retirement, which he had looked on as a divine inſpiration, had its real ſource in too ſtrong a propenſity to leiſure and quiet, and became convinced that God did not require a ſacrifice incompatible with the honour of his family, and the happineſs of his people.

Europe alarmed at the Progreſſes of the Tartars.

FRANCE enjoyed the moſt profound repoſe, *Anno* 1261. and the people rejoiced in the monarch, as the true father of his country. In this happy juncture it was, that Lewis IX. convened the biſhops, the princes, and chief nobility to deliberate on the affairs of Paleſtine. That unfortunate kingdom, after being weakened for a long time by the arms of the Saracens, ravaged by inteſtine diviſions, was now in great conſternation at the approach of the Tartars.

Thoſe barbarians, headed by the renowned Holagou, brother and lieutenant to Mangoukan their fourth emperor, had three years before made themſelves maſters of Bagdat, once a very ſtrong city, then only a defenceleſs retreat; the delightful and tranquil manſion of feſtivity and polite literature, the compoſitions being rather light than philoſophical; ſatyrical and licentious verſes were ever circulating and among all ranks; entertainments, ſpectacles and amours, the univerſal employment of life.

Its prince, if ſuch a name can be given to Moſtaſim-Billa, who, totally given up to hunting, women and play, found no other pleaſure in ſovereignty than being a kind of idol, leaving the care of adminiſtration to his miniſters, who baſely betrayed him; and ſo ill provided was the country with troops, that the Tartarian general carried all before him. The ſplendid capital itſelf ſurrendering at diſcretion, was given up to pillage; the immenſe treaſures in it were rather deſtroyed than carried away; the Calif ſtrangled; all the nobility put to the ſword; no leſs than eight hundred thouſand of the inhabitants maſſacred, without diſtinction of age or ſex; and the empire of the Saracen pontificate irretrievably overthrown. All the neighbouring kingdoms, even that of Moſul, though accounted the moſt powerful, ſubmitted,

mitted, without ſtriking one ſingle blow to ſave all that mankind holds dear. The only potentate who took up arms in defence of his dominions, was the Soldan of Aleppo; but his fortune was not anſwerable to his magnanimity, his capital being taken and diſmantled. Damaſcus and all Syria underwent the ſame fate; the part poſſeſſed by the Chriſtians alone excepted. Concerning the deſign of theſe irreſiſtible conquerors with regard to the Holy Land, hiſtorians vary: ſome ſay that they were for uniting it with their empire; others, that all their end in conquering it was only to give it up again to the croiſés, which however is not at all probable. Theſe barbarians, after taking Bagdat, ſent into Paleſtine and every where elſe requiring obedience and tribute; they are at the ſame time ſeen ravaging Poland and Hungary. It is even recorded in hiſtory, that they ſent a formal ſummons to Lewis to acknowlege their empire, or, on his refuſal, the whole ſtreſs of their arms would be employed againſt him without delay. The king, it is added, * laughed at the extra-

* The following paſſage will farther illuſtrate Lewis's great character. A proceſs was depending between the count of Anjou and a plain gentleman, one of his vaſſals. The prince's officer gave a decree in his favour; but the gentleman appealed to the king's court; which ſo incenſed the count, that he threw him into

extravagancy of the meſſage, yet received the ambaſſadors very well, and diſmiſſed them without any other anſwer.

One very certain circumſtance is, that the progreſs of the Tartars in Aſia occaſioned the holding of an aſſembly in France, where it was unanimouſly reſolved to begin by appeaſing the wrath of God, as juſtly provoked at the crimes and enormities with which the chriſtian world was then over-run; prayers, proceſſions, and faſt-days were appointed; the laws againſt all manner of wickedneſs were carried into the ſtricteſt execution; all exceſs in food and raiment was retrenched; tournaments and games of chance were ſuppreſſed, allowing only the exerciſe of the bow and croſs-bow: but however alarming the juncture might appear,

priſon. The affair reaching the royal ear, he ſent for the count to attend on him immediately. *How!* ſaid he, with an auſtere countenance, *do you imagine that there is to be more than one ſovereign in France; or that, being my brother, you are above the laws?* at the ſame time ordered him to ſet his vaſſal at liberty, that he might ſue for his right. The count obeyed; but his choleric temper was ſo dreaded, that the gentleman could get no council nor attornies. Lewis hereupon had the goodneſs to appoint both, and made them take an oath to give him true and faithful advice, and duly to conſult his hearing. The cauſe being ſolemnly pleaded, it was given againſt the king's brother, and the gentleman reinſtated in his right.

no tax, tythe, nor onerous impoſt was laid; the king ſending to Paleſtine only a pecuniary aid, which enabled his lieutenant and viceroy at Jeruſalem, the brave Sargin, to make head againſt all the power of the redoubted Cham.

Origin of the Guet, *or City Watch*; *the* Marechauſsées, *or Country Watch*; *and the* Hue *and* Cry *in England.*

A PARLIAMENT had decided, that citizens of Paris, though holding of the biſhop, ſhould be puniſhable by the king's officers, on failing to mount *guet*, after receiving orders from the *guardien*, as the commandant of the *guet* was then called, or from the provoſt of the city. Renaud, a biſhop of Paris, took upon him to oppoſe the execution of that decree; on which Lewis IX. cauſed his vaſſals effects to be ſeized; and the pontiff, by way of repriſals, laid the city and dioceſe under an interdict.

It is proper here to obſerve, that from the very birth of the monarchy, there was a night watch in the principal towns of the kingdom, agreeably to the cuſtom of the beſt regulated nations, where the govern-

ment has ever made the citizens ſafety the firſt object of its attention. We have two antient ordinances, one of Clotaire II. by which perſons on guard in that part of the town in which a robbery has been committed in the night time, are anſwerable for it, unleſs they ſeize the malefactor. The other of Charlemain, by which they who were to be on the night watch are fined four pence, if abſent *. Though the diſturbances, to which the feudal government gave occaſion, in a great meaſure ſilenced the laws, they made no change in this wiſe police; or rather being more neceſſary in ſuch tempeſtuous times, it was the more ſtrictly kept up. Accordingly, in moſt ordinances of that period, expreſs mention is made of this obligation to keep watch, and all noblemen impoſed it on their new ſubjects. At the reſtoration of the public quiet, ſome converted this ſervitude into yearly acknowledgments, annexing them to the other rights of lordſhip: and others into a kind of military ſervice, but which conſiſted only in accompanying them to war, to pale in their camp, and to guard their perſons, without fighting under them.

* The very word *Guet*, all etymologiſts derive from the German *Wachta*, which the Francs had brought into France, and it occurs in the old ordinances of our Kings. Tract. de la Pol. p. 236.

All

All that now remained of the antient cuſtom, was the watch in the capital, which is ſpoken of in the *Olim*, and theſe unqueſtionably are the moſt antient records of the kingdom. It was divided into two companies, that men whom the ſeveral bodies of tradeſmen and artificers were obliged every day to furniſh, and which was under the provoſt of Paris; and that kept on foot and paid by the King, compoſed of ſixty ſerjeants *; twenty on horſeback, and forty on foot. The firſt was formed into ſeveral fixed *corps de garde*, which got it the name of the *ſeated watch*, and was never applied to but in an exigency. The ſecond, named the *royal watch*, went the rounds, and patroled under a commander whom antient ordinances ſtile *Chevalier du Guet*. It is a miſtake to imagine that he owes this title only to Charles the V. having given up to him the order of the ſtar; whereas, in the reign of St. Lewis which was long before, he bore that title, though even princes accounted it an honour. The origin is rather to be ſought among the cuſtoms of the Romans, who never intruſted this momentous poſt to any under a man of quality, always choſen from among the knights. It is likewiſe in imi-

* A word probably of Latin origin, and formerly written *ſervian* or *ſerjant*; thus horſe ſerjeants mean horſe ſervants or troopers.

tation of thoſe wiſe republicans, that all juriſdiction over the watch has been lodged in the provoſt or chief magiſtrate of the city; the whole authority, however, relating to the command and military diſcipline of the corps remaining in the chief. The city company was ſuppreſſed in 1559, and that of the King augmented to two hundred and forty men. The religious wars occaſioned a total change in this new diſpoſition, the keeping of the city of Paris being in theſe deplorable circumſtances committed ſolely to the care of the citizens: but they were ſoon relieved, and the duty transferred to the royal watch, which was then fixed at fifty horſe and one hundred foot, and at preſent conſiſts of one hundred and fifty horſe and four hundred and ſeventy two foot.

Even theſe precautions our antient legiſlatures did not think ſufficient for ſecuring that moſt important object, the public ſafety and quiet of the cities, and accordingly laid an obligation on every perſon to raiſe and follow the *hus* or *huee*, or the cry made either by mouth or the horn, to give notice to purſue malefactors. By the laws of England *, every male in England above 15 years of age was to ſwear that he would not harbour any outlaw, murderer, robber,

* Bracton, l. 3. tract. 20. 1.

or night thief; but farther that, on ſeeing any act of violence committed, he *would raiſe the hue and cri*, and that on hearing the cry, he would purſue the criminal till he was taken and delivered into the hands of juſtice. A failure in this duty was very ſeverely puniſhed, as among other inſtances appears by an order for ſeizing all the effects of the citizens of London for the King's uſe, becauſe they had not cried out murder in a tumult where ſeveral perſons of rank had been maſſacred *. This cuſtom the Engliſh borrowed from France, where it had been obſerved from all antiquity. We meet with an ordinance of Clotaire II. which lays a fine of five ſous on him who does not give public notice of a theft to which he has been witneſs, or who having notice of it by public outcry, has not purſued the delinquent: if he be a freeman, add the capitularies of Charles the *Bald*, he ſhall compound for a ſum with his lord; if a villain, he ſhall receive ſixty laſhes. Under Philip the *Bold*, it was enacted, that on any fray, breaking open of doors, carrying off women, or any ſuch *miſdeed*, the neighbours, and all knowing of it, ſhall without delay iſſue out and do their beſt to prevent the miſchief, and ſeize the guilty: if they could not take them they are ordered to raiſe the *hus*, in which all who hear it are to join, under the moſt ſevere

* Thom. Blount. in Nomo lex. Angl.

penalties.

penalties. The like cuſtom obtained in Spain, and formed thoſe ſocieties which did ſuch ſignal ſervices under the titles of *ſanta hermandad*, holy brotherhood, and *junto*, or confederacy or union, who were all bound by oath to rendezvous at the ringing of a bell, ſet forth in purſuit of malefactors, and deliver them up, living or dead; for *it is better*, ſays De Beaumanoir, *that rogues ſhould be killed than eſcape.*

But beſides this proviſion for the inward tranquillity of cities, commerce and civil intercourſe required ſome attention to the environs and avenues. It has farther been found neceſſary to extend this proviſion all over the country, it being to the perpetual labour of the ruſtics that the great cities are indebted for their ſubſiſtence. In this ſo eſſential point of government, the Romans ſhewed an admirable precaution, poſting parties of militia at the diſtance of a league throughout every province under a preſident, whoſe principal care was to ſecure the public quiet and ſafety. Whilſt Gaul was under the dominion of thoſe lords of the world, this police was ſtrictly kept up there, and when our Kings reduced that fine cnoutry, they were far from making any alteration in an eſtabliſhment of ſuch great benefit. The French Dukes and Counts, as the governors and judges of provinces were ſtiled under the firſt race, ſucceeding to the honours and privileges

privileges of the Roman magiſtrate, entered into the like obligations: nothing was more ſtrictly enjoined them, than to watch over the quiet of the people committed to their ſuperintendence. They were inveſted with a power of ſummoning all the inhabitants to take arms in purſuit of malefactors, and any refuſing their aſſiſtance were puniſhed according to their ſtations, ſome by large fines, others with corporal puniſhments. The feudal government, though it filled the country with diſorders and rapines, yet cauſed no change in this diſcipline. By the law of the fiefs, every lord was obliged to ſecure the roads from ſun to ſun, a toll being paid to them for this conſideration. The reign of Saint Lewis affords a remarkable decree of parliament, condemning the Lord De Vernon to make ſatisfaction to a tradeſman, who had been robbed in broad day on a road within his lordſhip. About the ſame time an action was brought againſt the Count De St. Paul for a tradeſman having been killed near Arras. The partners applied for damages; but on a judicial inquiry, the murder was found to have been committed after ſun-ſet; ſo the Count carried his cauſe, being obliged to ſecurity only between ſun and ſun.

About that time the *bailiffs*, *ſeneſchals* or *ſtewards*, ſucceeded the Dukes and Counts both in the government and the magiſtracy of

of the provinces. Their principal duty was likewiſe to clear the country of robbers, and give orders to all other officers, who by their poſts were to concur in ſo ſalutary and honourable a purpoſe. On this account the provoſt of Paris, who was the firſt of them, had under his command two hundred and twenty *horſe-ſerjeants* who came daily to receive orders; and a troop of a hundred horſemen, who were continually ſcouring the country. The provoſt himſelf ſometimes headed this troop in perſon, eſpecially on important occaſions. Gabriel d'Alegre, who held that office in the beginning of the ſixteenth century, in the report of his adminiſtration to the parliament, ſays, "that on "advice of three hundred of Chabanes horſe, "and other freebooters, advancing with a "deſign of ſurpriſing and pillaging Mont "lhery, he haſtened out to meet them "with his men, and obliged them to draw "off before doing the leaſt damage. As "to the viſcounty of Paris, he adds, that "he guards it ſo cloſely, that not a ſingle "fowl has been loſt in it, and he hopes that "the court will have all reaſon to be ſatiſ-"fied with his diligence and that of his "men."

The outrages of the troops, as they acknowledged no other juriſdiction than that of the conſtable and his lieutenant-generals, cauſed

a neceſſity of creating a provoſt of the marſhals who always followed the camp, that, under its authority, he might execute what, by reaſon of their ſmall number being then but two, they could not execute by themſelves. This new officer was not only to be a gentleman by birth, but to have had ſome command: it does not appear that he had any function in times of peace. In a day of battle he fought at the head of the army with the other chiefs; and even the title of Knight, though at that time the moſt honourable, was not incompatible with his employment. Charles VI. firſt fixed this officer in the court's ſuite, and by ſeveral prerogatives ſubſequently annexed to his office, he is become one of the crown officers, with the title of *Grand Provoſt of France*. This obligation of following the court diſabling him from ſuperintending the diſcipline of the troops both in garriſon and the field, Lewis XI. allowed him to appoint in every province a gentleman as his repreſentative, with power of raiſing the nobility and commons to oppoſe ſuch bodies or parties of military men who infeſted the country, abuſing and plundering the people.

Theſe commiſſions became gradually altered to titles of office. Towards the reign of Lewis XII. there was ſcarce a province without its provoſt of the marſhals, and each

each was allowed the choice of his lieutenants, and a certain number of private men to ſerve under him. They then aſſumed the title of *Provoſt-General of the Provinces*, in which they commanded, a title, however, which gave them juriſdiction only over the military: they were continually to keep the field, follow the troops in a march through the provinces, viſit the garriſons, reſtrain the inſolence of the ſoldiers, chaſtiſe their irregularities, and put the law in execution againſt their robberies. This extenſion of their authority was entirely owing to the negligence of the bailiffs and ſtewards, in not ſecuring the quiet of the country: and on this account King Francis I. impowered them to take cognizance of, and judge finally in all crimes, treſpaſſes and miſdeeds, not only by ſoldiers deſerting their colours, but likewiſe by vagrants, who committed ſuch outrages with ſuch audaciouſneſs, that people were not ſafe, even in their houſes. This increaſe of power tied them to their reſpective provinces of which they were to ſuperintend the ſafety: they had even ſtrict orders to ſettle their abode in them, and to be very punctual in *their ridings:* lieutenants both of the long robe and others were aſſigned to them, together with recorders, a certain number of archers, and a trumpeter. This new eſtabliſhment occaſioned a creation of provoſt marſhals of the troops, who, by

way of diſtinction from the provincial provoſts, were called *army provoſts*.

Such is the origin of our marſhalſeas, their commanders, tribunals, and detached troops of horſe. There are at preſent in the kingdom under the command of the marſhals of France thirty marſhalſea troops, all acknowledged to belong to the corps of the *gens d'armes*, and each under a provoſt-general, who, according to the terms of the edict, ſhould be experienced in military matters, that is, ſhould have ſerved at leaſt four years in the army; on which account the ſame edict confers on him the title of *Eſquire* whilſt he holds his office. Theſe thirty troops are diſtributed into as many *generalities*, and theſe again ſubdivided into ſeveral departments, in each of which reſides a lieutenant and aſſeſſor, a King's attorney, a recorder, who are all ſubordinate to the provoſts-general. Within the kingdom are one hundred and eleven marſhalſea lieutenants, ninety-four aſſeſſors, as many King's attornies and recorders, one hundred and ſixty-eight exempts, a hundred and ſeventy-eight brigadiers, two hundred and twenty-ſeven ſub-brigadiers, two thouſand three hundred and twenty-ſix archers and trumpeters.

Magnanimity

Magnanimity of Lewis IX. *relatively to ſacred places being aſylums. Violations of the clergy's immunities, how puniſhed.*

Anno 1266. LEWIS IX. though zealous for the adminiſtration of juſtice, was never carried beyond proper limits; moderation and wiſdom directed all his proceedings, and particularly in a decree of his concerning the right of aſylum. A thief had been taken by the King's officers in the church of the Cordeliers at Tours. The Archbiſhop exclaimed againſt the profanation, as he termed it, and with no little tumult demanded that the malefactor ſhould be delivered up to him. The King condeſcended to pay ſo much regard to his complaints, as to aſſemble a parliament; where, after a minute diſcuſſion of the affair, it was ordered that the malefactor ſhould be carried back to the church; but that the religious, or the prelate's men, ſhould immediately drive him out, ſo that he might be taken again; otherwiſe he ſhould be dragged, even from the foot of the altar. Thus Lewis reconciled what he owed to his dignity, with the condeſcenſions which circumſtances required towards vaſſals of great power, and extremely touchy in certain privileges, concerning which, the ſuperſtition of the time had not yet allowed to paſs a definitive

definitive ſentence. No infringement on the clergy's privileges eſcaped puniſhment in thoſe times. A judge who preſumed to put the law in execution againſt an eccleſiaſtical delinquent, without the concurrence of his prelate, expiated his offence in this manner. He was to have ſome hideous figure made, and dreſſed as a clergyman: this he himſelf was to hang up, then take it down, carry it in a kind of lugubrious ſtate to the church, and with the moſt reverential humility preſent it to the prelate, requeſting Chriſtian burial for him whom it was ſuppoſed to repreſent. The pontiff, attended by the whole body of his clergy, received the wooden eccleſiaſtic as in triumph, and the image was interred in conſecrated ground with great ſolemnity. Sometimes the violater of thoſe ſacred privileges did not come off ſo cheap. A puniſhment, not uncommon, was to be led up and down the town three or four days ſucceſſively, bare legged, in his ſhirt and drawers, with a two pound torch in his hand, and often rods, to whip him at the church door, where he was publicly to proclaim his guilt, and beg pardon. Theſe *ſhirt proceſſions* were antiently very much in vogue, as an expreſſive teſtimony of penitence, and were carried much farther in public calamities, the women coming from a great diſtance, quite barefoot and bare legged, and the men, as an hiſtorian who

was an eye witneſs, ſays, *really naked*, beſides carrying the bodies of the bleſſed apoſtles of France, and other holy relicks, to heighten the ſolemnity of theſe *moſt devout* proceſſions.

Tolls on roads were then exacted with ſuch tyranny, that in many places the nobles uſed to compel traders to quit the ſhorteſt way, and make their appearance at one of their toll-booths, which in all parts they multiplied to the utmoſt. Some traders having avoided paſſing through a place where a duty was to be paid, all their goods were ſeized. They pleaded that their profeſſion exempted them from that ſervitude, but the clerks, a mercileſs ſet of men, preying on their induſtrious fellow creatures, would not hear of any mitigation. The matter, however, being laid before the King, he condemned the collectors, not only to reſtore the whole ſeizure, but likewiſe to pay all charges and damages.

The juriſprudence of thoſe antient times, rather authorized than puniſhed murderers and aſſaſſins. It was only denying the fact, and throwing a gage for a duel. Proceedings, by way of information, were admitted only in lands immediately depending on Lewis. He, however, omitted nothing to put a ſtop to the evil by all the penalties

conſiſtent with prudence, as ſingularly appears in an affair between two gentlemen of Artois, who joined iſſue to refer their cauſe to his judgment. One Alenard de Selingam ſolicited a ſignal vengeance for the death of his ſon, whom the other had cruelly murdered. The latter, Andre de Renti, with great warmth, denied his being guilty of ſo barbarous an action. The King having ordered a trial, it was proved that Renti meeting Selingam's ſon, ſtruck him to the ground with a ſpear, at the ſame time calling him *foul baſtard*, and that a knight of his attendants plunged a dagger into his breaſt, at the very inſtant that he held out his ſword, and was begging his life. Lewis, convinced of the reality of the crime, could ſcarce reſtrain his juſt indignation; but the crime being verified only by a procedure which, till then, did not obtain in France, eſpecially in a gentleman's caſe, the offender perſiſted in denying it; that a capital puniſhment not being adviſeable, the King turned his thoughts to get all the good he could from it. The piece of land which had occaſioned the quarrel head judges to Selingam, and his heirs for ever. Renti was farther condemned to aſk the deceaſed's father pardon on his knees, to ſettle an income of forty livres a year on his children, and to go and ſerve five years in the Holy Land.

Another inſtance is, a perſon of a conſiderable family had, in order to ſeize on a caſtle, killed a knight of the name of Maumont. The King ordered that he ſhould deliver up the caſtle, and ſerve thirteen years in the Holy Land, though very ſtrong intereſt was made for the murderer, and he farther offered to juſtify himſelf by a duel.

A knight complaining of having been inſulted by three gentlemen, the puniſhment followed on the heels of the offence. Lewis, beſides a large fine, payable to the party injured, ordered that they ſhould go and ſerve in Sicily, under the King his brother.

From a like principle of juſtice and humanity, he overlooked the immemorial antiquity of a cuſtom at Tournay, where any who had been baniſhed, even for murder, might buy off the penalty by the payment of a hundred *ſols*. His good heart was ſo ſhocked at ſo ſtrange a cuſtom, that he immediately ſuppreſſed it by edict, which ſo endeared him to the people, that in commemoration of this humane ordinance, it was enacted, that the recorder of the ſee ſhould, on Aſcenſion-day, make his appearance in all the public places with the edict in his hands, declaring that Lewis was truly the father of the people, and that through his care their lives would, at length, be ſafe.

That

That monarch's devotion led him to be very fond of bearing a part in every thing of a religious appearance. He, the very ſame year, aſſiſted at the tranſlation of the relicks of Saint Mary Magdalen. This ceremony was performed at Vezelay, in the dioceſe of Autun, which was thought to have had in its poſſeſſion the body of that illuſtrious penitent, for many centuries. The invention of this precious treaſure is related in the following manner. The religious, digging under the great altar, found ſome human bones in a leaden coffin, together with ſome woman's hair wrapped up in a piece of ſilk. A writing without any date, but ſigned by a King of the name of Charles, atteſted them to be the *mortal remains* of the *immortal* bride of Jeſus Chriſt. The news ſoon ſpread all over France, and this being an opportunity both for illuſtrating and enriching the monaſtery, as the celebrity of the Saint would infallibly draw thither a numberleſs reſort of people, the monks thought of performing the tranſlation of theſe glorious remains with a ſtriking pomp and ſolemnity, ſo as to raiſe the moſt exalted ideas; the multitude being moſt ſtrongly impreſſed by externals. The King, whoſe piety reluctéd againſt the leaſt ſuſpicion of a thing in which religion ſeemed to be concerned, would aſſiſt at this feſtival, and went to Vezelay, attended by the three princes his children, the legate,

and all the conſiderable perſons of the court. The corpſe was taken out of the kind of coffin in which it had been incloſed, and depoſited in a ſilver ſhrine. The legate kept a rib, the monarch took ſeveral bones, which he cauſed to be ſet, ſome with two of the holy thorns, and a piece of the real croſs, in an arm of gold enriched with pearls, and ninety diamonds; others in a reliquary of gilt, ſupported by an angel, and richly decorated. The whole was ſent by his orders to the good religious, with a requeſt carefully to keep them; and by the legate's forbidding them to part with the rib under penalty of excommunication, one would be apt to think that it was but too uſual in thoſe times to ſell both reliques and reliquaries. Vezelay, however, was ſoon diſturbed in its poſſeſſion of this ſacred depoſitum. A tradition prevailed among the people of Provence, that this celebrated penitent had lived a long time in a place called *La Baume*, that ſhe died there in the moſt auſtere practice of every virtue; laſtly, that ſhe had been buried there in an alabaſter tomb, by Saint Maximin biſhop of Aix.

All theſe particulars are to be ſeen in the *Miroir Hiſtorical*, in which are long extracts of two hiſtories, one of Saint Magdalen, and the other of her illuſtrious ſiſter, both written in Hebrew by Marcella, chambermaid to Martha,

Martha, and tranſlated into Latin by one of the name of Synthex. But the bare reading of theſe lives, ſhews the ſenſible reader that they are mere fables, the ridiculous offspring of ſuperſtition and ignorance. On theſe common reports, however, the Count de Provence's eldeſt ſon, his father being in a war in Italy, ordered ſearch to be made for Magdalen's corpſe, which at length he had the happineſs of finding in a marble, not an alabaſter, tomb. It is related, that, on opening the tomb, a moſt fragrant odour diffuſed itſelf through the chapel, that all kinds of miracles were wrought there, and that from the tongue, which ſtill adhered to the throat, came out a fennel root with a branch in full bloom; this was divided into numberleſs pieces, as ſo many ineſtimable relicks. Near the ſacred body were two written bills, one on a board waxed over, with theſe words, *Here reſts Mary Magdalen*; the other on an incorruptible wood, containing theſe words, *In the ſeven hundredth year from the birth of our Lord, on the ſixteenth day of December, in the reign of Odowin or Odowick, King of France, at the time of the inroad of the Saracens, Saint Mary Magdalen's body was very privately removed in the night time, from its alabaſter to this marble tomb for fear of the Infidels.* The young prince immediately aſſembling the nobility and clergy of Provence, takes up the body in their preſence,

lays it in a ſilver ſhrine, enriched with gems; and the head he put in a reliquary of pure gold. Vezelay now loſt a great deal of its reputation. Though Pope Martin IV. at beſtowing on the church of Sennes the rib which he had kept to himſelf, when legate, declared, by an expreſs bull, that this abbey had the genuine relicks of the holy penitent, yet La Baume prevailed; and notwithſtanding the unanſwerable criticiſms againſt the pretenſions of both, ſuch is the force of cuſtom and prejudice, it continued to be frequented by a vaſt concourſe of people, whereas at preſent the learned look on it only as a cave famous for the fictions and contentions to which it has given riſe, but without the leaſt real title to veneration and celebrity.

Univerſal ardour for another Croiſade. The Clergy alone backward in their Contributions.

Hen III.

Anno 1267. THE diſtreſſed condition of Chriſtianity in the Holy Land revived the zeal for croiſades, though hitherto of ſuch bad conſequence. The Pope wrote to all the princes of Chriſtendom, to head their armies, or ſend powerful ſuccours of men and money. Councils were held, tithes were raiſed on the clergy, public prayers were appointed.

Lewis

Lewis particularly iſſued orders that all the great men of the kingdom ſhould repair to Paris, before the feſtival of the Annunciation, to deliberate on an affair of the higheſt importance. Joinville, whom we have had frequent occaſion to mention, *was for excuſing himſelf, on account of a ſevere ague; but the devout King ſent him word, that he had perſons enough about him, who could eaſily rid him of his ague, and that if he loved him, he ſhould come, which,* adds the worthy ſteward, *I accordingly did.* The meeting was very numerous, and no body knew the occaſion of it. Joinville alone affirms, he had room for a ſurmiſe. His proof, indeed, will appear not a little ſuſpicious, and ſuitable to the ſimplicity of his age. He ſays, that being at mattins, the very day of the feſtival, he fell faſt aſleep, and dreamed that he ſaw the King kneeling at an altar, with ſeveral prelates about him, and putting on him a red ſerge chuſuble. On his awaking, he related his viſion to one of his chaplains, a man of *profound wiſdom.* Sir, anſwered the frank eccleſiaſtic, the King will croize himſelf to-morrow, that is certain beyond all doubt. The croſs on the chuſuble can ſignify nothing elſe; but the meanneſs of the ſtuff augurs no great ſucceſs. This croiſade, like the former, *will turn out but poorly.*

All

All this, however, was but a dream; an indication ever uncertain, even when, in appearance, confirmed by the event. The monarch's intention ſoon became more than a ſurmiſe, on ſeeing him come into the aſſembly with the crown of thorns, which he had been to fetch at the holy chapel. Being ſeated on the throne, he made a very affecting repreſentation of the diſtreſſes of the Holy Land, declared that he was reſolved to go to the relief of his brethren in Chriſt, and exhorted all who were indeed God's faithful ſervants, to join in croizing themſelves.

The news that Lewis was marching againſt the Infidels, raiſed an univerſal emulation. Numbers of illuſtrious perſonages flocked to liſt under his ſtandard. Joinville alone withſtood all the good monarch's ſolicitations, pleading that the firſt croiſade had ruined him. *I plainly ſaw*, ſays he, *that if I made one in the pilgrimage of the croſs, my poor vaſſals, already ſorely diſtreſſed, would be utterly ruined. I have ſince heard*, adds he, *ſeveral ſay, that they who put the good King upon this undertaking did very ill, and ſinned mortally. While he was at home every body lived quietly, and juſtice was duly adminiſtered; and he was no ſooner gone than every thing took an unhappy turn. Beſides*, continues he, *our good maſter was ſo very weak and*

and attenuated, that he could neither bear any armour on him, nor ſit a horſe.

An extract from a roll in the chamber of accounts, indeed, makes out this croiſade to have been exceſſively chargeable to the kingdom. The princes probably marched at their own expence, except the Duke of Burgundy, who ſtands on a ſeparate liſt, with twenty banners, and forty knights, for which his allowance was twenty thouſand livres. But the lords and knights had appointments from the King, which were called *donations*, and were paid, half at the beginning of the year, and the remainder at the end of the firſt ſix months; and the total of theſe donations amounted to one hundred and ſeventy thouſand livres; a prodigious ſum for that time. To this muſt be added the expence of proviſions, one hundred and thirty knights eating every day at the King's tables; the freight of fifteen large ſhips, and an infinite number of tranſports.

This ardour in France communicated itſelf to ſeveral princes and nobles of all the ſtates of Europe, among which were Charles King of Sicily, Prince Edward of England, who ſignified in his vow, that it was to fulfil that of his father, which was ſo often renewed, and never took effect. Young Edmund, Edward's brother, the Earl of Glouceſter,

and

and a multitude of gallant Engliſh, Scotch, and Spaniſh knights. The Kings of Portugal and Arragon, made a ſhew of no leſs eagerneſs for this expedition. The latter, though keeping a miſtreſs, for which Rome was continually reprimanding him, thought he was not to leave his country without notifying it to the ſupreme Pontiff; but received for anſwer, that before thinking of relieving the Holy Land, he ought to mind his own ſalvation; that one who crucified God daily, was little fit to revenge his quarrels; and farther, that if he did not immediately repent with penance, the bolts of the church ſhould be diſcharged on him.

It was a very ancient cuſtom in theſe holy wars, as extremely expenſive, to make the clergy contribute to the charges. The cuſtom had been eſtabliſhed at the beginning of the firſt croiſade, yet always vehemently oppoſed by the clergy. There are ſtill ſeveral letters of Popes, bitterly reproaching them for denying to Jeſus Chriſt what properly is his very patrimony, whilſt the laity were cheerfully ſacrificing life and fortune in his cauſe. The levying of a hundredth on the revenues of all the weſtern churches for five years had been appointed a little before. The French biſhops, farther provoked at the apparent traffick of holy things, indulgences being granted in proportion to the greatneſs

of

of the gift, ſtrongly oppoſed the impoſition, and maintained it to be beyond the Pope's power. Rome having here acted without any authority from the King, was obliged to come to terms, which was never the caſe when thoſe two powers were united. After many warm diſputes, it was agreed that the archbiſhop of Tyr, who was to conduct the levy, ſhould deliver up his commiſſion to the King, that it might be put in force only againſt thoſe who ſhould refuſe to comply with the injunctions of the prelates; that the latter ſhould pay, and cauſe their dioceſans to pay, not in virtue of the pontiff's order, but freely and without any compulſion, for the ſalvation of their ſouls; that the civil power ſhould not intervene to require this voluntary ſubſidy, and that the produce ſhould not be expended but by his majeſty's advice.

The convention was faithfully executed. All that remained to be paid was one year of the hundredth, which, though a conſiderable ſum, not fully anſwering the exigency, Pope Clement, as a ſupplement, granted to the King, during four years, the tenth part of the income of the eccleſiaſtics, who murmured loudly, held meetings, wrote to the Pope, ſetting forth the diſtreſs to which the clergy was reduced by the former tranſactions. They repreſented that the misfortunes of the

firſt expedition were entirely owing *to the curſe annexed to extortions from the churches.* They likewiſe were for making the world believe that the fatal ſchiſm of the Greeks aroſe only from ſuch tyrannical impoſts. On the other hand, they were reproached with the turpitude of their complaints, as under a King who ſpared neither his blood nor his wealth in a war which they themſelves ſo much preached up. They were even threatened with deprivation, if they continued to deſpiſe the fulminations which Jeſus Chriſt had put into the hands of Saint Peter, and his ſucceſſors. The pontificate and the prerogative now acting in concert, there was no third party to appeal to, ſo that the clergy were obliged to obey, and pay to authority what had been refuſed to devotion.

Lombard and Florentine Uſurers.

Anno 1268. ABOUT this time the Chriſtian world was groaning under the oppreſſion of a company of uſurers, known by the name of *Cathercini* or *Caorçini*, a company of Lombard and Florentine traders, formed under the protection of the Popes, who, exceeding the very Jews themſelves, were not aſhamed to demand ten *per cent.* every two months for their loans on pledges; an uſury which, according

according to Matthew Paris, had brought England to the brink of ruin, amidſt the moſt ſevere ordinances againſt it from the crown, and even the more formidable cenſures of the biſhops. Theſe public bloodſuckers had ſuch intereſt as to get their debtors ſummoned to Rome, which partaking in their gains, would of courſe favour their exactions, however iniquitous and exorbitant. They were, beſides, thoroughly acquainted with all the laws and fetches relating to their buſineſs, and ſo artful in drawing up their contracts, as always to leave room for chicanery on their part. Though the Engliſh hiſtorian may have charged his portraiture, it is however certain that theſe abandoned uſurers did infinite damages wherever they were allowed to ſettle. All Lewis's attention to the welfare of his people had not prevented them from getting footing in France. Supplies, which were to be had only of them, whether for the expence of licentiouſneſs, or in preſſing exigencies, faſcinated the eyes of all ranks, that even they who were ruined by their mercileſs impoſitions, acted in concert with them. At length the enormity of the grievance being laid before the throne, the monarch's paternal zeal was ſo inflamed at ſuch a complication of guilt, that he immediately iſſued an ordinance, obliging all royal bailiffs to make the Caorcinis quit the country within the ſpace

of

of three months, as a term for the debtors to redeem their ſeveral pledges, by paying the principal, but without any intereſt. The lords were likewiſe enjoined to do the like on their eſtates, under penalty of being compelled to it by ſuch means as ſhould be thought moſt effectual. The ordinance met with univerſal obedience; and if the Italians made their appearance in the kingdom a ſecond time, it was only, agreeable to the ſpirit of the law, to carry on a legal commerce with the probity of a fair trader.

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The Reader is desired kindly to excuse the following

ERRATA.

P. 61. l. 4. *for* Augustus, *read* Augustulus; p. 113. l. 20. *read* le Camus *flat nosed*, le Bossu *hunchbacked*. With a few literals.